

AN ACCOUNT
OF THE
ENDOWMENTS FOR EDUCATION
IN
LOWER CANADA,
AND OF THE
LEGISLATIVE AND OTHER PUBLIC ACTS
FOR THE ADVANCEMENT THEREOF,
FROM THE CESSION OF THE COUNTRY IN 1763
TO THE PRESENT TIME.

THE establishment of a system of Education in the elementary, as well as in the higher branches of learning and science, superior to that which has hitherto obtained in Lower Canada, being imperatively called for, the first step to the attainment of this important end is to ascertain the existing means of Education within the Province, and the public measures which from time to time have been adopted with a view to its advancement.

Without here entering upon an inquiry into the proper measures to be taken for the general Education of the inhabitants of Lower Canada, the present paper is confined to a narrative of the endowments for Education in the Province, and of the Legislative and other public acts for its encouragement and advancement, from the cession of the country down to this time.

At the period of the conquest of the province, there were several establishments in the country, richly endowed, for the purposes of education, namely, the Seminaries of Quebec and Montreal appropriated more particularly for the education of Ecclesiastics, and the order of the Jesuits, who attended exclusively to the civil instruction of the people. The endowments of these bodies were large and liberal, and they have been continued to them since the conquest, with the exception of the estates of the Jesuits, which have been assumed by the Crown.

The endowments of the Seminary of Quebec are of great value and extent. It is possessed of the following estates, the Seigniories of Beaupré, 15 leagues in front by 6 leagues in depth on the river Saint Lawrence below the city of Quebec, Isle aux Coudres, Isle du Cap Boulé, Coulanges, and Saint Michel in the district of Quebec, the fief Sault au Matelot and other property of value in the city of Quebec, and the Seignory of Isle Jesus in the district of Montreal. The present value of these estates is not known, but many years ago it was computed at about £1300. per annum, besides large contributions in grain and feudal rights on the mutation of real property, the latter of which in the Sault au Matelot alone containing about 200 houses in the city of Quebec, would amount to a considerable sum.

The endowments of the Seminary of Montreal, were likewise of great extent and value, and con-

sist of the Seigniory of the Island of Montreal, upon which is situated the great commercial emporium of the Canadas, the city of Montreal, and the Seigniories of Saint Sulpitius, and the Lake of two mountains, in the district of Montreal: the actual value of these estates is not known, but the revenues of the Seminary as stated by the Ecclesiastics themselves, who are in possession of these estates, exceed £8,000. per annum.

The endowments of the late order of the Jesuits were likewise of very great extent and value. The order was in possession of an extent of six superficial acres in the heart of the city of Quebec upon which their Church and College were erected, Lavacherie in the vicinity of the city, the two Lorettes or the Seigniory of Saint Gabriel, and that of Sillery, in the district of Quebec: the Seigniories of Cap de la Magdeleine and Batiscan in the district of Three Rivers, in the latter of which are valuable beds of iron ore, where extensive iron forges have been established: the Seigniory of Laprairie de la Magdeleine and Sault Saint Louis, in the district of Montreal, the latter Seigniory held by them in trust for the savage nation of the Iroquois settled upon it, and since the conquest confirmed to the savages, besides valuable lots of ground in the cities of Montreal, Quebec, and Three Rivers.—Portions of these estates have been alienated by the Crown, since they passed into the possession of the Government, but the more valuable still remain

and produce a clear revenue of about £1,800. per annum, under the present system of management.

Several Nunneries were likewise established in the provincial cities, which are also amply endowed in lands and money, by means of which and by Missions distributed throughout the Province from some of the Sisterhoods, instruction has been generally diffused amongst the female portion of the population, in the cities and villages of the Province.

All these institutions, with the exception of the late order of the Jesuits, have retained possession of their estates and property, and continue to enjoy them unmolested at this time.

The result of the campaigns of 1759 and 1760, gave to Great Britain the possession of Canada, which was afterwards ceded in full sovereignty by the King of France, by the Peace of Paris in the year 1763. The discontents in the old British Colonies assumed a new character almost immediately after the cession of Canada, and went on increasing in violence, until their open rupture with the Mother Country, and their declaration of independence in 1774, followed by the American Revolutionary War which was terminated in the year 1783 by the peace of that year.

During the continuance of that contest, the Government of England could not bestow consideration upon the subject of education in Canada,

but shortly after the restoration of tranquillity by the peace of 1783, the civil authorities within the Colony directed their attention to the subject.

In the year 1787, his Excellency Lord Dorchester, then Governor-General of Canada, brought the matter under the consideration of the Legislative Council of the Province, who, however, were prevented, by fortuitous circumstances, from reporting upon the reference made to them, until the close of the year 1789. The Report of the Council is of sufficient importance to require its insertion here entire, and is as follows:—

Quebec, May 31, 1787.

“ His Lordship called the attention of the Council to the great object of the education of youth throughout all the extent of the province, and it is committed to the Chief Justice, Messrs. Dunn, Mabane, Delery, Grant, S. Ours, Baby, Duprè, and Colonel Caldwell to report with all convenient speed, the best mode of remedying the defects, an estimate of the expence, and by what means it may be defrayed.

(Signed) J. WILLIAMS.”

Observed by the Chairman, that his Lordship’s supposing defects in the means of education, the duty of the Committee seemed to be to explore the causes and point to the remedy.

That as the subject was not capable of the discussion the reference required, without some local information, he had since put a series of questions

into the hand of one of the Canadian Lawyers, in the hope of being able to have spread before the Committee, pertinent communications from every parish of the ancient settlements in the two districts of Quebec and Montreal.

The questions were these, “ Inquiry to extend to 1st. The condition or present state of education. A list of the parishes and incumbents, and of the number of the parishioners in each, and the amount of their respective church revenues.

The number of their schools, and the kind of instruction—what their support? Can it be true, that there are not more than half a dozen in a parish able to read or write?

2nd. The cause of the imperfect state of instruction—What kinds of public and general tuition are established? What are the funds? the uses and ends? the impediments?

A minute detail desired that the remedy may be the better adapted to the evil, and the necessity there is for proper institutions.

3rd. The remedy or means of instruction—the main object is the cultivation of knowledge.

Suppose a union for this purpose safe, for the Protestant and Catholic persuasions, and encouraged by all the enlightened and patriotic characters, whatever the diversity of their religious tenets, is it possible to hope to make a step towards establishing a University in the province, or to find schools introductive of a University? How may

instructors be acquired? By what means can a taste or desire of instruction be excited in the parishes?

The means must be adapted to the condition of the colony.

1st. To the strength and ability of the inhabitants.

2nd. To the aid to be expected from the provincial Legislature.

3rd. To the contributions probable from abroad in money and books, and towards an apparatus for experiments in natural philosophy.

Upon the first point,

Will the chief inhabitants concur in asking for an incorporation? Will the subscribers for a library place it in the hands of a Corporation or College?

Upon the second point,

What lands of the Crown are there proper to be settled for the use of such a Society?

Upon the third point,

Without an establishment by charter, every gift will be dependent upon private confidence, and then nothing is to be expected from abroad. This will not be so, if the stock and revenue are in hands having the confidence of the Government, and may it not be expected to find men of learning for the professors' chairs free of prejudices?

That a letter to the parish pastors might bring a true account of the parishes, awaken inquiry, and

afford useful information ; and that letters be written to the heads of the Roman Catholic Clergy.

The letter to the Roman Catholic Bishop of Quebec produced the following answer :

Quebec, 18th November, 1789.

“ THE HON. WILLIAM SMITH, Chief Justice.

“ SIR,

“ The following is the result of my reflections upon the scheme which you did me the honour of communicating by your letter of the 13th of August.

“ Nothing is more worthy of the wisdom of the Government under which we live, than the encouragement of science by every possible means, and with respect to myself, let me assure you, nothing can be more agreeable to my views and wishes. At the name of an University in the province of Quebec, my native country, I bless the Almighty for having ripened the design, and my prayers are offered for the execution of it. However, as you have given me to understand, that my opinions will be received with pleasure, I ought to suggest to the Honourable Council, and to the Committee, in whose name I consider you have written to me, the following observations.

“ 1st. It is very doubtful whether the province can at present furnish a sufficient number of Students to occupy the Masters and Professors that would necessarily be required to form an University. While there remains in Canada so much land to

clear, it is not to be expected that the country inhabitants will concern themselves about the liberal arts. A farmer, in easy circumstances, who wishes to leave his children a comfortable inheritance, will rather bring them up to agriculture, and employ his money in the purchase of lands, than give them learning, of which he knows nothing himself, and of the value of which it is scarcely possible that he should have an idea. Every nation upon the globe has successively given proof of my assertion, the sciences having flourished, only where there were more inhabitants than necessary for the cultivation of the land. This is not yet the case in Canada, an immense space of country, where the lands little improved offer on all hands wherewithal to exercise the industry and stimulate the interests of the settlers. The towns, therefore, stand alone for furnishing students to the University.

There are but four towns in the province, William Henry still uninhabited; Three Rivers scarcely meriting the name of a town. The inhabitants of Quebec and Montreal, it is well known, are not very numerous; besides, it is probable, considering the present scarcity of money and the poverty of the citizens, that Montreal cannot send many youths to the University. In the course of every two years, ten or twelve scholars are sent from there to Quebec to study philosophy; if more should come from thence, the whole town would

murmur. Many for the want of funds are compelled to finish their studies when only in the class of rhetoric: yet the seminary of Quebec teaches philosophy gratis, as well as the other branches of science, and the greatest sum required from a student never exceeds £12. sterling per annum. Hence, I conclude, that the period has not arrived for founding an University at Quebec.

“2nd. I understand by University a company, community, or corporation, composed of several colleges, in which Professors are placed to teach several sciences. The foundation, then, of an University presupposes an establishment of colleges dependent thereon, and furnishing students for it. According to the most esteemed chronologists, the University of Paris, the most ancient in the world, was only founded in the 12th century, though the kingdom of France has subsisted from the 5th. Nothing, therefore, seems to urge such an establishment in a province newly risen into existence, where there are but two such Colleges, and which might, perhaps, be obliged to apply to foreign countries for Professors to sit in the chairs, and for scholars to receive their lectures.

It will be asserted, that the Anglo-Americans our neighbours, though the settlement of their country is not of long date, have nevertheless furnished themselves with one or more Universities. But it must be observed, that their proximity to the sea, which is not the case with us, having

rapidly extended their commerce, multiplied their towns, and increased their population, it is not to be wondered that they should be more advanced than we are, and that the progress of the two countries, differently situated, should not be exactly alike.

“ 3rd. Supposing the two foregoing reflections refuted by others more judicious and wise, I wish to know by what law it is proposed to govern the administration of this community, before I take any step respecting the clergy of my diocese, or the Canadians collectively. The project of an University in general, does not meet my sentiments ; I should like a more minute detail. How many different sciences are intended to be taught there? This question is important. A greater number requiring of necessity a greater number of professors, and consequently greater revenues. Is it intended that it should be governed by one rector or by a society of directors? If by a rector, is the appointment to be for life, or is he to be removable at the end of a given number of years? Who are to be the persons to nominate either him or the directors, if that mode of administration were to take place? Would it be the King, the Governor, the citizens of Quebec, or the province at large? What rank or character would be given to the bishop, or what to his co-adjutor, in the establishment? Would it not be proper, that both or one of them at least, should hold a distinguished station?

“ This is not all, an union protecting the Catholic and Protestant subjects, had been previously announced. These terms are very vague. What are the measures to be taken to accomplish so necessary a junction? Will it be answered, by proposing for the University, persons unprejudiced in their opinions ; this, far from resolving the difficulty, seems only to increase it. For what is meant by persons unprejudiced? The true sense of the expression relates to persons who are neither unwisely prepossessed in their notions in favour of their own nation, nor unadvisedly zealous to inspire into youth not instructed therein, the principles of their own communion ; further, they ought to be virtuous and moral persons, who govern themselves by Gospel principles and Christianity : whereas, in the style of modern writers, a person unprejudiced in his opinions is one, who opposes every principle of religion, who, pretending to conduct himself by the law of nature alone, soon becomes immoral, and not subordinate to the laws necessary to be inculcated upon youth, if it be intended that they should conduct themselves uprightly ; men of this character (and this age abounds with them, to the misfortune and revolution of nations), would by no means suit the establishment proposed.

“ After these preliminary observations, which seemed to me essential, I shall just endeavour, Sir, to answer your different questions.

“ Question 1. —The condition, or present state of education, a list of the parishes and incumbents, and of the number of the parishioners in each, and the amount of their respective Church revenues ?

“ Answer.—Nothing so easy as to give a list of the parishes and incumbents, but it will be shewn by-and-by that such list is unnecessary, in the business in question : it is not so easy to shew the amount of the Church revenues.

“ 1. What is termed Ecclesiastical contributions or oblations, is merely a casualty.

“ 2. Tithes are not so rigorously exacted, nor in the same proportion as in Europe. Here they are only the twenty-sixth part of wheat, oats and peas ; it is true they must be brought to the parsonage-house. Tithes are reduced in Canada, which are called in England predial tithes. Respecting the mixed tithes, collected upon hogs, milk, wool, &c. and the provisional tithe collected upon manual labour, or works proceeding from industry, such as the mechanic arts, fisheries, &c. they are altogether unknown and disused in the country. Our tithes, therefore, proceeding but from grain, are liable to great changes of augmentation or diminution from one year to the other, depending upon a favourable or unfavourable season. Therefore, it would be difficult to ascertain with precision the amount of the revenue belonging to the incumbents.

“ Question.—What schools are there, and what is the kind of instruction ? and what is their support ?

“ Answer.—The reverend fathers, the Jesuits of Quebec, before the year 1776, always kept or caused to be kept, a well regulated school, where young persons were taught reading and arithmetic ; this school was free to every one. But Government having thought fit to lodge the records of the province, in the only apartment of the house where scholars could be admitted, the reverend fathers could not continue the good work.

“ There are some Canadian masters, I know, who, for payment, teach reading and writing ; their schools are regular and daily, and pretty well frequented ; the parents of children sent there are tolerably well satisfied with the progress they make.

“ At Montreal, the Seminary, ever since the time of its institution, has supported a free-school, where children of all ranks are taught reading and writing. Books are given to them gratis. This school is remarkable for its extreme regularity, has had 300 children at a time.

“ The Nuns, or Congregational Sisters at Montreal have a numerous boarding school for the instruction of young gentlewomen. The Ursuline Sisters at Quebec and Three Rivers, have each another boarding school, also the Nuns of the General Hospital at Quebec. The young ladies in the schools

are taught reading, writing, needle, and other work, suitable to the sex ; such as embroidery, but above all things they are taught virtue. Public schools are also kept for young women in the three towns of the province, one at Montreal by the Congregational Sisters ; one at Three Rivers by the Ursulines ; one at Quebec by the Ursulines, and one by the sisters in the Lower Town ; the schools kept in the country parishes by missions from the Congregational Sisters must not be forgotten. They spread a great deal of instruction. These communities at their own charge support their respective schools, and are also supported and encouraged by the attentions and vigilance of the superiors of the Church, who are careful to see that the intents of the establishments are fulfilled. Above all things, the minds of the children in those schools are inspired with morality, and in love and veneration for religion, the principles of which they are taught to understand.

“ There are some English masters who teach schools at Quebec, Montreal, and Three Rivers, but I do not know their different branches of instruction nor their support.

“ Question.—Can it be true, that there are not more than half a dozen in a parish, able to read or write ?

“ Answer.—Such a report, it is true, is publicly spoken of, and, if I mistake not, maliciously spread abroad, to disgrace the Canadians. The imposition

hath even reached his Royal Highness Prince William Henry. It would be difficult to practise such a deception upon persons well acquainted with the province. For my part, I am convinced that, upon an average, from 20 to 30 persons may easily be found in every parish, who can read and write. It is true, the number of women so instructed exceeds that of the men.

“ Question.—The cause of the imperfect state of instruction? What kinds of public and general tuition are established? What the funds? the income? the uses and ends? the impediments?

“ Answer.—Classical learning and rhetoric are positively taught in the College of Montreal since the year 1773, and geography and arithmetic are beginning to be taught. I have reason to expect this establishment will, in time, produce a good effect. The proprietors of the establishment solicited me in September last, to let them have a Professor of Philosophy and Mathematics; I shall do all in my power to procure them one. The College belongs to the Administrators of the Parish Church Revenues of Montreal; it has no other funds than the board paid by the students and the liberality of the Ecclesiastics of the seminary: the Churchwardens seem to have its support much at heart; it is already of great public use. Boys who cannot afford to live in the College as boarders, are received as day scholars for the moderate sum of one guinea per annum.

“ The Seminary at Quebec was founded and endowed by the first Bishop of Canada. Its own revenues support it. The administration of those revenues is submitted to the inspection of the Bishop, who annually examines the accounts of the income and expenditure, as well as those of acquisitions made under the foundation. This Seminary, by its constitution, is only held to instruct young clergymen for the service of the diocese ; but since the conquest of the province by his Britannic Majesty’s arms, public instruction has been voluntarily and gratuitously given. Theology, the Classics, Rhetoric, Natural and Moral Philosophy, Geography, Arithmetic, and all the different branches of Mathematics, are taught. It has produced, and produces daily, learned men in all the sciences ; they have students capable of doing honour to their education and country : the Bishop names several individuals, and proceeds, without naming a great number of ecclesiastics, who distinguish themselves among our Clergy.

“ When English young gentlemen have desired to come into the Seminary, they have been admitted there, upon the same footing with Canadians, without any distinction or partiality. They were exempted, however, from attending religious duties, differing from the principles of their belief.

“ I should not omit mentioning, that since the conquest, the Bishops of Quebec have always resided at the Seminary, where it is made a point of

duty to furnish apartments and a table for them gratuitously and honourably : moreover, the Seminary has always been remarkable for charities daily bestowed there, as for zeal in cases of public contributions.

“ Question.—Whence proceeds the discouragements and faults ?

“ Answer.—It may be answered, that of all the young gentlemen naturally studious and virtuous, who have begun their studies at a fit age, not one has been discouraged at the Seminary : they left it with thanks and acknowledgments for principles they learned. Indeed, there has been found among the number, some of stubborn dispositions, little adapted for the sciences, or incapable of that restraint which is necessary for the acquisition of good morals. These have gone away ignorant ; and unfortunately, judging by their incapacity, an unfavourable opinion is entertained of the learning to be acquired in the Seminary. Hence proceeds the idea pretty generally propagated, that none are admitted into the Classics there, but such as are disposed to take up an ecclesiastical life ; that their instruction is directed only to that study, and is otherwise very contracted ; an idea that could not be repressed, even by the publication in the Quebec Gazette, which announced to the English and French youths, the opening of the ordinary Mathematical Class at the Seminary ; wherein would be taught, according to the usage for 20 years,

Writing, Arithmetic, Algebra, Geometry, Trigonometry, together with the Conic Sections and Tactics in both languages, and without expence to the scholars.

“ The preference given to old subjects and even to strangers, over Canadians, in appointments to public offices and places of trust, may perhaps be an additional cause of discouragement ; but this is not within my sphere, nor is it with me to inquire, whether such complaints be well or ill founded : besides, it is my duty and the duty of all my countrymen, to render endless thanks to the Right Honourable Lord Dorchester, for the favours he has been pleased to heap upon our nation, whenever opportunities have afforded.

“ Question.—The remedy or means of instruction. What steps can be taken towards establishing a University in this Province, or Schools introductive of a University ?

“ Answer. To this I answer—

“ 1. That according to my first observations at the beginning of this letter, it appears we are not yet arrived at the period for establishing a University at Quebec.

“ 2. That in order to put the Province in the state of enjoying, in the process of time, so precious an advantage as that of an University, it is necessary to use all possible means of supporting and encouraging the education already taught in the Col-

legé at Montreal and the Seminary of Quebec. This I watch over with great attention generally ; many of the scholars are capable, at the time of quitting their studies, of embracing with success any kind of science taught at a University, whether Jurisprudence, Physic, Surgery, Navigation, Fortification, &c.

“ 3. Another object not less essential for the present would be, to procure a third place of public instruction for youth. It will be asked, no doubt, by what means ? I shall mention one that is not impracticable. There is in the centre of Quebec, a spacious College, a greater part of which is occupied by the troops. May not that College be drawn nearer to its primitive institution, by substituting instead of those troops, if it should be his Excellency's pleasure, some useful classes, such as the Civil Law and Navigation. To which may be added, if approved of, the Mathematical class now taught at the Seminary ; might not that College itself, in the course of time, be constituted a University, and support itself in part, with revenues of the estates now belonging to the Jesuits ; and this mode of proceeding gradually to the establishment of a University, appears to me much more prudent and sure. I acknowledge the meritorious services of the Reverend Fathers the Jesuits, and the zeal with which they have laboured in this Colony, for the instruction and salvation of souls.

Nevertheless, I should not be backward in seeking immediate measures, for securing their College, as well as their other estates, to the Canadian people, under the authority of the Bishop of Quebec. But to whom ought the government of the Jesuits' College to belong, if it were again set on foot? First, to the surviving Jesuit for his life, and afterwards to those who should be appointed by the Bishop. Can any one wonder at such a plan? I will state the principles upon which I ground it.

“ 1. The funds of the College will only consist of the revenues of the estates of the Jesuits.

“ 2. The Province has no right to appropriate them to itself, but for their original destination.

“ 3. The propagation of the Catholic faith is the principal motive in all the title deeds.

“ 4. The circumstances of the donations, the quality of donors, would also prove that to be their intention. The Canadians, as Catholics, have therefore a right to those estates as appears incontestable.

“ 5. The instruction of the savages and the subsistence of the Missionaries appearing to have greatly actuated the donors of those estates, is it not fit, that the Bishop of Quebec who names these Missionaries, should have it in his power, to decide in their favour respecting the application of that part of the said estates, which shall have been found to have been given with that intent, rather than see them burthensome to Government, as many of them have

been for some years? Therefore, in preserving the estates of the Jesuits to the Canadians, under the authority of the Bishop, he would have a right to cause this essential part of the intention of the donors to be executed, and it is besides very probable that the College and the public would become gainers by it.

“ Question.—By what means can a taste or desire for instruction be excited in the parishes?

“ Answer.—This, in my opinion, should be committed to the zeal and vigilance of the Curates, supported by the Country Magistrates.

“ A calumnious writer hath maliciously reported to the public, that the Clergy of the Province, do all in their power to keep the people in ignorance, in order to domineer over them. I do not know upon what ground he has been able to found so rash a proposition, contradicted by the care always taken by the Clergy to present to the people such instruction as they are susceptible of. The severity of the climate of this country, the distance between the houses of its country inhabitants, the difficulty of assembling the children of the parish into one place especially in the winter, as often as it would be necessary for their education, the inconvenience of a teacher going daily to a great number of private houses. Such are obstacles that have rendered useless the desires of many of the Curates, whose efforts to instruct the children of their parishes, are within my knowledge; but in towns and vil-

lages, such as Assumption and others, we have the pleasure of finding the people in general pretty well informed ; most of those villages are supplied with schoolmasters.

“ Question.—Will the principal citizens concur in asking a Charter of Incorporation ?

“ Answer.—I understand a Charter to be Letters Patent, fixing and consolidating the establishment of any Society or Body whatever. To this, I answer, that such a Charter as should be immediately procured in favour of the Jesuits' College, might hereafter be renewed in favour of a University, which would afford a great support to those establishments, and much encouragement to the people.

“ Question.—Are there not lands of the Crown which might be proper to request the grant of, for the benefit of the University ?

“ Answer.—Time will bring all things about. On the supposition that the estates of the Jesuits were to be left to the public, for the education of youth, a part of those estates would be in time improved and produce sufficient funds, to be able to spare a part for the necessary support of a University. Independently thereof, may we not hope, that his Majesty, full of benevolence towards the prosperity of his subjects, would grant them, for a work of this nature, some new grants *en roture* or *en fief* out of the waste lands of the Crown.

“ Question.—The funds and design being committed to such trusts as the Governor-General may

think proper, may not much be expected, when men of learning, free from illiberal principles, are in the professors' chairs for the liberal arts and sciences?

“ Answer.—It seems to me I have sufficiently answered this question, in my third preliminary observation. I shall only add, that Theology will always be taught at the Seminary, and consequently this object will never be burthensome to the public.

“ You have now, Sir, my reflections and answers respecting the plan of a University, proposed by the Honourable the Legislative Council. I have informed you with freedom and sincerity, that so early an establishment of a University at Quebec does not appear to me suitable to the present circumstances of the province. Upon this occasion, I have laid open my views and way of thinking relative to the education of our youth; it remains that I request you to refer this letter to the Committee upon the establishment in question, assuring them that nothing is nearer to my wishes, than to conciliate in all things my respect for the Government, and the Honourable Council, with what I owe to my nation, to my clergy, and to my religion, which I have sworn, at the foot of the altar, to maintain to the end of my life.

I have the honour, &c.

(Signed)

JEAN FRAN. HUBERT,

Bishop of Quebec.

The causes of the non-convention of the Com-

mittee before this day, being explained, the Chairman, as leading to the discussion of this very important subject of the reference, begged leave to observe to the Committee :

That the main inquiry (the result of which was to be reported to his Lordship) appeared to be, To what extent or degree it was expedient to introduce the means of education in this province ?

That certainly there could be no division of sentiment respecting the point, that elementary instruction is necessary to the lower classes in all countries, the want of which left a people in a state of base barbarism.

By these he meant,

1st. Parish Free Schools, or a School in every village, for Reading, Writing, and the four common rules of Arithmetic.

2nd. A County Free School, one at least for further progress in Arithmetic, the Languages, Grammar, Book-keeping, Guaging, Navigation, Surveying, and the practical branches of Mathematics,

The next step in civilized countries, was a University or a Collegiate Society for instruction in the liberal arts and sciences. How far the province was prepared for such an institution, or on the point, which the Right Reverend Bishop had with much reason made the subject of his deliberation ?

The Chairman concurred with the Right Reverend Bishop, that the erecting of a University, measuring it by the European scale, would be ex-

travagant, as neither adapted to the abilities, nor the wants of a country not yet consisting of one hundred and fifty thousand inhabitants, who had a wilderness before them to be brought into cultivation, for obtaining the necessaries of life.

It was, nevertheless to be wished, that the youth of the Province might not be estranged from it by an education in foreign parts, but find at home sufficient means to qualify them for the trusts, offices, and honours of their native community.

Though the idea, therefore, of establishing such a fountain of light here, as is found in the Universities of the old Continent for the diffusion of knowledge among the nations, and through the regions of his Majesty's Inland Dominions, was only to be indulged in as an object of distant prospect, the great and important questions still remain, How far the necessities of the Colony demand and its abilities will furnish, a College or Academy for that improvement of the mind pre-supposed in any advancement to real usefulness in any of the learned professions, and indispensably necessary to every great social collection, and without which it must be indebted to emigrants from other countries?

A College under one Rector and four Tutors, dividing the labours between them, would, in his opinion, be sufficient to instruct the Students to be expected from all the Provinces on this Continent now remaining to Great Britain, in Grammar, Logic, Rhetoric, Mathematics, Natural Philosophy,

Metaphysics, and Ethics ; and these sciences made the path in which all were obliged to walk to obtain any degree of eminence in the learned professions, or to give a man distinction among his fellow citizens, and to enable him to come forward to the magistracy and other important services of his country.

The Chairman added, that though an Institution of this extent could not be very expensive, it would nevertheless require an union of hearts and hands to give it the desired prosperity ; and this it certainly could not want, by due guards against the illiberality of a contracted and sectarian spirit ; to which end, it was his idea, the state of the Province considered, that Christian Theology be no branch of instruction in this College, but left to be provided for by the two Communiones that divide the Province, in such way as they select, and by such means as they respectively possess or may acquire.

That a Corporation be created by Letters Patent, capable of donations and perpetual succession, and with authority to make Bye-laws.

That the visitation be vested in the Crown.

That the King's Judges, and the Bishops of the Province for the time being, both Catholic and Protestant, be Members of the Corporation, and the rest to sixteen or twenty of the principal gentlemen of the country, in equal number of both Communiones, and the vacancies be filled by the majority of the voices of the whole body.

That proper clauses be inserted in the Charter to repel every appropriation and bye-law touching the funds or government of the College, to any other than the promotion of science at large as aforementioned, the exclusion of all biasses, ceremonies, creeds, and discriminations, either of the Protestant or Catholic Communions.

Upon the remedy of the defects by the order supposed to exist, the Chairman remarked that the erection of the Village and Country Schools would require an Act of the Legislature, rating each parish in assessment, for the Free Schools of its own district.

That the objections of the indigent to their contributions for either were answered by giving their children the benefit, with exemption of themselves from the general charge ; and those which may arise in the old districts of Quebec and Montreal, from their having funds and schools already of their own, by making all such persons also exempt, whose children really were in such a course of education.

If the burthen were to be felt any where heavy, it would be only in the new Counties, where the Colonists were occupied in the cultivation of lands still in a wilderness state. But even those parts of the Province, young as they were, would probably find no cause to complain. The Noble Lord at the head of the Government had already set apart portions of land, to encourage the instruc-

tion of the children of their villages, and they had ample grounds to hope for other appointments for the County Schools of their districts, not to mention that the applauded merits of their fidelity to the country, in the late troubles, may expect aid, as soon as their wants are properly revealed, from the numerous charitable foundations and societies of the Mother Country, for which it is so greatly renowned.

Least of all, as the Chairman remarked, was it to be apprehended that a Colonial College would fail, unless there was in its bowels something repugnant to its success. It may most assuredly expect the powerful patronage of the Crown, and of all that wish well to science, so friendly to the interests of our common nature, perhaps it may be thought worthy of the national attention. The Right Rev. Bishop of Quebec was not singular in suggesting that a portion of the estates of the dissolved order of Jesuits lays open to such a purpose.

It is not wholly asked for by the Right Honourable Lord Amherst. There is a part to be reserved for public purposes, and the extent of that reservation is a part of the confidence which His Majesty in his great grace to his people, has committed to that noble personage, under whose care the Province is at a moment so auspicious to the laudable design he himself recommends to the attention of this Committee. There is nothing to

discourage the hope of additional benefactions out of His Majesty's other estates in this Province.

There are waste lands in various places, and of such proximity to the old settlements, as might be soon tenanted, to furnish a revenue with the country, all-sufficient for the Institution in its progress to that desirable perfection prayed for by the good Bishop, and in which he must be joined by every friend of mankind.

It happens to trusts to individuals, that the dread of a perversion of their funds gives discouragement to gifts. The contrary is the natural consequence of pouring the donations into bodies of perpetual existence, with a just frame, a noble end, and under the charge of the Government.

The Corporations once instituted may boldly come to the foot of the Throne, and ask a brief for a national collection. Abstract from the encouragement of public bodies, there are instances of private opulence in many places, with a generosity equal to that of opulence, and on the watch for opportunities to devote it to enterprizes for advancing the honour of the country, the interests of learning, and the welfare of the common weal.

The Jesuits' spacious buildings, as the Bishop has observed, afford ample opportunities for a Collegiate life.

The private subscribers of Quebec, who have already, at a great expence, made an ample collec-

tion of well chosen books, will, doubtless, see it consists with their original design, to lodge them in the College Library for general use.

The board for commons and the tuition money will go to the support of the College students, who, if it has fame, may be expected from all the Provinces under the Governor General residing in this; and the advantage of acquiring one of the most universal languages of Europe, may be a motive even in remote countries, for taking the whole circle of the sciences in a College projected for the commencement of a University in Canada, for His Majesty's American dominions.

No greater revenue can be at first wanted than will render the stations of one Rector and four Tutors worthy the choice of men, qualified by morals and talents, for a work and sphere which the necessities of many, among the learned of Europe, would lead them to wish for; and there are some, whom the hope of being honourably and usefully employed, would excite, even to forego the present comforts of local attachment, and to embrace it.

Advanced to the Institution of a College, the Committee must perceive, that like a reservoir for watering the surrounding fields, this, as a fountain, would find candidates in this Province for the care of all inferior Schools in our expanded population, to the extremity of the British dominions in the West; and that, therefore, though it was mentioned last, in the claim of deliberation, it ought to have

the chief influence, even with those who might before have been only advocates for those lower exertions immediately necessary for the village and country schools.

For a full discussion, however, of the subject, the Chairman proposed that the question be put singly upon the following resolves,

1st. That it is expedient, without delay, to erect parish or village Free Schools in every district of the Province, under the regulation of the Magistrates of the district, in the Quarter Sessions of the Peace.

2nd. That it is also expedient that each District have a Free School in the central or County Town of the district.

3rd. That the tuition of the Village Schools be limited to Reading and Writing.

4th. That the Instruction in the District or County Schools extend to all the rules of Arithmetic, the Languages, Grammar, Book-keeping, Guaging, Navigation, Surveying, and the principal branches of the Mathematics.

5th. That it is expedient to erect a Collegiate Institution for cultivating the liberal arts and sciences usually taught in the European Universities, the Theology of Christians excepted, on account of the mixture of the two Communions, whose joint aid is desirable as far as they agree, and who ought to be left to find a separate provision for the Candidates in the Ministry of their respective Churches.

“ 6th. That it is essential to the origin and success of such an Institution, that a Society be incorporated for the purpose, and that the charter wisely provide against the perversion of the Institution to any sectarian peculiarities, leaving free scope for cultivating the general circle of the sciences.

“ After deliberating upon the subject at large,

“Agreed, that the general question of concurrence be put upon all the Resolves, and it being put accordingly, the Committee concurred in them, and ordered that it be reported to his Lordship as their unanimous opinion.

“ By Order of the Committee, 26th Nov. 1789,
(Signed) W. SMITH, Chairman.”

Shortly previous to the completion of the foregoing Report, urgent applications from the Colony had been made to the Imperial Government, for the establishment in the Province of a representative form of Government.

The differences existing upon this subject among the inhabitants of the Colony from the year 1784 down to the year 1792 and the demanding of and preparing for this new Constitutional form of Government, had so entirely absorbed men's minds, as to prevent their directing their attention to the subject of education.

In the year 1791, was passed the Imperial Act of the 31st Geo. III. c. 31, intituled, “ An Act to repeal certain parts of an act passed in the 14th year of his Majesty's reign, intituled “ An Act for

making more effectual provision for the Government of the Province of Quebec, in North America; and to make further provision for the Government of the said Province," commonly called the Quebec Constitutional Act, by which the Province of Quebec was divided into the two Provinces of Lower and Upper Canada and a representative form of Government was bestowed upon each.

At the first Session of this newly-constituted Legislature, in Lower Canada, in the year 1792, a Petition signed wholly, or almost wholly, by inhabitants of the Province of British origin, was presented to the House of Assembly from the City and County of Quebec, praying that body to consider the state of Provincial Education, and to use means for placing the property of the late Order of the Jesuits, at the disposal of the Provincial Legislature, and applying it to its original destination, which was alleged to be the support of Colleges and Seminaries for the education of Natives of Canada. The Petition is subjoined, and is as follows :—

“ To the Honourable the Knights, Citizens, and Burgesses in General Assembly convened—

“ WE, the Subscribers, Heads of Families, and Inhabitants of the City and County of Quebec, congratulating ourselves on the first and happy Assembly of the Representatives of the Province of Lower Canada, do not entertain the least doubt but that this Honourable House is acquainted with the

present, and will sufficiently provide for the future wants of this country, especially for the deplorable state of Education of youth for upwards of thirty years past, though a College has been erected in the middle of this city, a house in the city of Montreal, with lands and revenue thereto annexed, for the education of every individual, born in or inhabiting this country :—Whilst we entertain the flattering hope of seeing, in a short time, through the enlightened and watchful attention of this Honourable House, the happy effects of our new Constitution, and of well-regulated liberty, which forms its basis, nothing at this moment can afford a more solid ground to your Petitioners' expectation, than the friendly communication given many years ago by the Jesuits of Quebec to the Citizens of all the titles of their College.

“ By those titles it evidently appears, that they hold and enjoy their estates in trust from the first ancestors of the Canadians, called the 100 Associates, who were possessed thereof, and gave them over to the Jesuits upon certain conditions.

“ That the tract, or lot of six superficial arpents, reduced from the 12 arpents first conceded, in the Upper Town of Quebec, where the Church and College are erected, was given, but on condition of maintaining the institutions and perpetual vow of the Jesuits, the education of youth, in order to build a College wherein the youth of Canada should be educated, as they could not by reason of

their vow of evangelical and personal poverty, hold any estates, unless with the title of College established, in behalf of the youth of the country *ad studendum et orandum*; and the King, after the cession of Canada, made to him by the company of New France, confirmed and amortized all those estates, on which he relinquished all his rights, by a Diploma, only for the purpose of affording the means of education to the youth of this country.

“ That the Seigniories were given by the same citizens, namely, Charlesbourg, to educate and teach, as well as for the assistance of the people of the country; that Seignior, among others, was likewise for ever amortized for the same purpose, and for the establishment of a College.

“ That the franc aleu on the river St. Charles, called Lavacherie near Quebec, was granted to them for the 6 arpents taken off the 12 appropriated for the College, and by the same motives and views mentioned in the titles of Charlesbourg. It was likewise passed into mortmain, or amortized, and annexed to the Colleges.

“ That the two Lorettes, or Seigniories of Saint Gabriel, were given by the then Seignior of Beaufort, only out of friendship, but when amortized, they were explained to be a gift in favour of that College.

“ That Sillery, towards Cape Rouge, was granted for the spiritual and temporal assistance of the people of this country.

“ That the Cape de la Magdeline, near Three Rivers, was given by one of the 100 Associates, only to procure the establishment of the College, and afford the Jesuits means of subsistence ; but the Jesuits having laid out upon that estate the savings of the Quebec College, in consequence of their apprehensions of being disturbed for want of a better explication, the then intendant of the Colony, confirmed that gift only in favour and behalf of the College of Quebec.

“ That, in fine, the King did amortize and relinquish the possession of the said estates for the College only.

“ That Batiscan, given by the same for the love of God, was explained by the same intendant, in consequence of the just apprehensions of the Jesuits, on account of the disbursements made with the savings of the College, but in favour of the College of Quebec, to which it was also annexed by the King.

“ That Laprairie de la Magdeleine, in the district of Montreal, also granted on account of the assistance which the inhabitants of Canada receive from the Jesuits, and also by reason of the disbursements made out of the savings of the College of Quebec, in consequence of some murmurs of the inhabitants, and the apprehension of the Jesuits of being troubled for want of explication, the intendant for the King of France, at their request, con-

firmed that Seigniorly solely in favour of the College of Quebec.

“ In short, the general and final explication by the King amortized that Seigniorly and other estates described in the letters patent, only in consideration of the College of Quebec.

“ That the ground on which are built the Church and House of Mission at Montreal, was purchased *en roture* by the Superior of the Jesuits and the Master of the College of Quebec, and approved by the Seminary legally established in the island of Montreal, and sole Seignior of the said island, which estate was amortized by the King and appropriated to the education of youth.

“ That this Mission was established in 1692, solely by the economy of the College of Quebec, which alone could hold this estate under the title of a College, sending into mission according to their institution the Bull, Petition, and Ordinances above-mentioned.

“ Many lots in the Cities of Quebec and Three Rivers, and some other lots of ground, were purchased only by the savings of the College.

“ That the Sault Saint Louis, near Montreal, was granted to the Jesuits for the Iroquois, and it was with justice that the Iroquois obtained after the conquest the restitution of that estate.

“ The Petitioners conclude by representing, that since the exhibition, the Jesuits of Canada have

generously offered, and still persist in offering to this province to restore the possession of all the property and funds of this College, for the use of the portion of the people to which they belong, and only desire a subsistence, but such restitution has been retarded and impeded by many difficulties.

“ That the nature of those titles, and the foundation of the College have certainly been misrepresented in Europe, and by those means this province has been deprived of public education since the conquest, although it has been encouraged in every part of the British Empire.

“ That this misfortune is to be attributed only to the endeavours of a few individuals, who have strongly solicited of His Majesty the gift or concession of those estates under various pretexts, but happily without effect, before the sanction of the New Constitution.

“ That your Petitioners are convinced that his most gracious Majesty, by his Royal instructions, was ever desirous of being well informed of those titles, and to reserve of all those funds whatever might be requisite for the public education, without prejudice either to the causes or effects that such an establishment had in view.

“ Wherefore the Petitioners hope, that this Honourable House will consider that the estates of the Jesuits, have been improved only by the labour, courage and industry, of the inhabitants of this country, in the hopes of educating their posterity,

and that these estates, though sufficient, do not exceed all necessary expences to afford a public education, properly organized, and on a liberal plan; for which purposes they were granted; and therefore justly claim the same with the respect due to this Honourable House.”

“*Quebec, 4th February, 1793.*”

An Address to his late Majesty Geo. the Third, upon the foregoing Petition, and embodying its substance, was unanimously adopted by the Assembly on the 11th April 1793, and transmitted to be laid at the foot of the Throne, but no answer thereto was received from the Crown.

In the year 1800, the Executive Government of the Province went into possession of the whole of the Jesuits' estates, whereof an enumeration has been before given, which had been amortized by the Royal Instructions and permitted to remain in the possession of two or three of the surviving Jesuits, until the death of the last of the order, which took place in that year.

The Royal Instructions to the Governor General on this point, bear date in the year 1774 and are as follows:—“That the Society of Jesuits should be suppressed and dissolved, and no longer continue a body corporate and politic, and that all their rights, privileges and property, should be vested in the Crown, for such purposes as the Crown might hereafter think fit to direct and

appoint, and the Royal intention was further declared to be that the present members of the said society as established at Quebec, should be allowed sufficient stipends and provisions during their natural lives."

In the same year 1800, the subject of the Jesuits' estates having occupied the attention of the House of Assembly, an address to his Excellency was adopted, "praying for certain documents to facilitate the investigation of the claims and pretensions of the Province, on the Jesuits' College converted into barracks, and to the estates of that order originally granted by the King of France for the purpose of educating the natives of the country." The reply of his Excellency stated, "that in consequence of the Address of the House of Assembly on the 11th of April 1793, the claims of the Province had been considered by his Majesty in Council, and that the result of that consideration had been an order to take possession of those estates for the Crown. That if, after this explanation, the House should deem it advisable to investigate, they should have access to the documents required; but any further application on the subject might be inconsistent with the accustomed respect of the House of Assembly for the decision of his Majesty, on matters connected with his prerogative." The House, in consequence of this answer, passed to the order of the day, and for the time dropped the subject.

At the opening of the session of the Provincial

Legislature on the 10th of January 1801, his Excellency the Lieutenant-Governor, informed the legislature of his Majesty's instructions in respect of education, in the following terms :

“ With great satisfaction I have to inform you, that his Majesty, from his paternal regard for the welfare and prosperity of his subjects of this Colony, has been graciously pleased to give directions for the establishing of a competent number of free schools for the instruction of their children in the first rudiments of useful learning and in the English tongue, and also as occasion may require, for foundations of a more enlarged and comprehensive nature, and his Majesty has been further pleased to signify his Royal intention, that a suitable proportion of the lands of the Crown should be set apart, and the revenues thereof applied to such purposes.” The address of the Assembly to his Excellency, in answer to that part of his speech which referred to his Majesty's intention with respect to education is as follows:

“ With the most lively gratitude we learn, that His Majesty in his paternal attention to the wants of his subjects, however remote, has not only seen the necessity, but in his Royal munificence has provided the means of early education for our children, leaving us room to hope for foundations of a more enlarged and comprehensive nature, and we are truly sensible of the zealous solicitude which your Excellency on this occasion has particularly evinced

for the welfare of this Province. We should be deficient in that respect which we owe to all subjects recommended by your Excellency, and wanting in duty to our Constituents if we did not eagerly seize the present opportunity, and contribute every thing in our power for the execution of a plan so peculiarly beneficial to the rising generation : and your Excellency may be assured, that nothing on our part shall be neglected which shall tend to its accomplishment.”

In the same year, 1801, the Provincial Act of the 41st Geo. III. chap. 17 was passed, intituled, “An Act for the Establishment of Free Schools, and the Advancement of Learning in the Province.”

This Act forms the first great epoch, from the cession of the Colony, in the History of Education therein, and was believed to have established a consistent and efficient system for its encouragement, and a firm and durable basis for its establishment, satisfactory to all classes of the provincial population. The very great importance of this Act requires, that an abstract of its provisions, not omitting its preamble, should be inserted here. The preamble is as follows :—“Whereas your Majesty, from your paternal regard for the welfare and prosperity of your Majesty’s subjects of this Province, hath been most graciously pleased to give directions for establishing a competent number of Free Schools for the instruction of their children in the first rudiments of useful learning, and also as occasion

may require, for foundations of a more enlarged and comprehensive nature. And whereas your Majesty hath been further graciously pleased to signify your Royal intentions, that a suitable proportion of the lands of the Crown be set apart, and the revenues thereof appropriated to such purposes. Therefore, we your Majesty's faithful and loyal subjects, the Legislative Council and Assembly of your Province of Lower Canada, with the most lively gratitude for this new instance of your Majesty's paternal attention to the wants of your Majesty's subjects, and desirous to contribute every thing in our power for the execution of a plan so peculiarly beneficial to the rising generation, do most humbly beseech your Majesty that it may be enacted," &c.

The provisions of the Act are contained in the following abstract:—

The Governor is empowered to erect a Corporation to be called "the Royal Institution for the advancement of Learning," with all necessary powers for purchasing and taking property without licence in mortmain, and to be composed of Trustees to be appointed by the Governor. To this Corporation, the entire management of all Schools and Institutions of Royal Foundation in the Province, as well as the administration of all estates and property which may be appropriated to the said Schools is committed: the Governor has authority to appoint the Corporate Officers, and to

fix the times and places of the meeting of the Corporation, and the number of its members: his sanction is required to all rules, orders, and statutes which may be made for the Schools and Institutions by the members of the Corporation, and for the government of the Masters, Professors, and Students of the Schools, and the management thereof. He may establish one or more Free Schools in each parish or township as he may judge expedient, only upon the application of the inhabitants, or a majority of them to that effect, and he appoints the Schoolmasters and orders the salary after the conveyance of the School-house to the Corporation: the erection of the School-houses first subject to his approval, and the expence of their erection are entrusted to Commissioners to be appointed for this purpose by him, the expence of the erection to be equally apportioned among the inhabitants; the School-houses when complete to be conveyed to the Corporation, property vested in the Corporation for the purposes of this Act, may be let or demised by that body for a limited period, the rents, issues, and profits to be accounted for to the Receiver-General, and by him to the Crown as other public monies," the other provisions of the Act refer to details which are unnecessary to specify.

In 1803 the Executive Council of the Province having directed its attention to the subject of education, for the adoption of measures proper for carry-

ing into effect the gracious intentions of His Majesty, conveyed in the message of the Lieutenant-Governor above referred to, and for endowing the Schools and Institutions contemplated in the foregoing Act, recommended to his Excellency, “that sixteen townships of the waste lands of the Crown should be appropriated for future endowments of Education;” His Majesty was subsequently in the same year graciously pleased to approve of the appropriation of a sufficient quantity of the waste lands of the Crown, for the foundation of two Seminaries, one at Quebec and one at Montreal, to the extent of 20,000 acres for each School, and declared his Royal intentions that the necessary measures should be immediately taken for carrying the plan so far into execution. Nothing however, has since been done to carry this instruction into effect.

From the influence of various causes to which it is unnecessary to advert, the Act of 1801 did not produce the beneficial results which it was originally intended and calculated to effect; no proceedings having been adopted under the Act, both Houses of the Legislature concurred in the year 1812 in an Address to the Prince Regent, “soliciting the attention of His Royal Highness to the state of Education in the Province, and to the want of public institutions for the instruction of youth, and praying the consideration of His Royal Highness to allow the revenues of the Jesuits to be appropriated to the relief of these necessities.” The

war with the United States of America, which commenced in 1812 and did not terminate until the year 1815, engrossed the attention of the Government to the exclusion of all administrative measures, not of immediate necessity; and though Schools had at different times been established by the several Governors, yet until the year 1819, no attempt to establish a regular system under the provisions of the Act of 1801 was made, and they were moreover attended with great expence to the Province. Up to the year 1818, the Royal Institution had never been regularly established; but on the 8th of October in that year, an instrument, issued under the Great Seal of the Province, appointing certain persons therein-named to be Trustees of the Schools of Royal Foundation in the Province, and by subsequent instruments, several other persons were added to the members originally appointed. The Lord Bishop of Quebec was named the principal of the Institution, and rules and regulations for the management of the Schools prepared by the Trustees, received the sanction of the local Government. By these regulations the regular superintendence of the Schools was provided for as follows:—"The School was placed under the immediate inspection of the Clergy of that religion professed by the inhabitants of the spot, or where the inhabitants might be of different persuasions, the Clergy of each Church had the superintendence of the children of their respective communities.

“ A regular superintendence of the Schools was also assigned to visitors named by the Corporation, one of whom was the Clergyman of the parish or township, according to the rule above described, who were to report to the Corporation, every six months, the number, progress of the scholars, the conduct of the Master, and generally on the state of the Schools.”

Elementary Education remaining in a very depressed condition, the Legislature again directed its attention to the subject, and in the year 1824, and in subsequent years, adopted various legislative provisions in reference thereto.

The system established by the foregoing Act of 1801 having been fundamentally subverted, through a succession of Provincial Legislative enactments from the year 1824 inclusive downwards, it is proper here to give the history of these several Acts.

On the 21st of January, 1824, a petition from the inhabitants of Quebec was presented to the House of Assembly representing “ that it would be a desirable thing that there should be established Schools in the Province for Elementary Education on a proper basis, calculated to induce parents of different religious creeds to send thither their children, with confidence, to be there instructed, both in the principles of their respective religions, and in the English and French languages, and go through a course of Geometry and Moral Economy, praying

that the House of Assembly would pass a law to that effect."

An extremely elaborate report of a Special Committee of the House of Assembly upon Education was adopted by the House on the 25th February, 1824, the substance of the report refers almost entirely to the estates which had belonged to the late order of the Jesuits, and concludes by urging the Assembly to renew their claims for the application of those estates to the promotion of education.

In this year, (1824,) the Act 4th Geo. IV. ch. 31, was passed, intituled, "An Act to facilitate the establishment and endowment of Elementary Schools in the parishes of the Province." The following is an abstract of its provisions.

The parish Fabriques, that is local Corporations established in each Roman Catholic parish, by which the temporalities of the parish Church are administered, are authorised to establish one or more Schools in each parish of the Province, and to have the sole management and direction of these Schools: not less than one School is to be established in every parish, and a greater number, according to a given proportion of inhabitants: one-fourth part of the annual income of the Fabrique or parish Church may be applied to the first establishment of these Schools; the Fabriques were also authorised to purchase and take real and personal estate for the support of these Schools for their foundation, not to exceed a certain amount

of capital and income ; the Fabrique to account annually at a public parish meeting for that purpose.

From this epoch of 1824, the history of Provincial Education is divided into two branches, the one having relation to the old system, under the Act of 1801 or that of the Royal Institution, under the control of the Provincial Government ; and the other having relation to the new system, under the Act of 1824 and subsequent Provincial Acts, independent of that control.

As has been already shewn, the Royal Institution did not go into operation until the year 1818 ; after that time, Schools were established under it in a certain system, depending for their support upon an annual appropriation made by the Legislature, at the rate of £2,000. per annum, which continued until the year 1832, when the appropriation was reduced to £1,265. and after that year entirely ceased.

It was to have been expected that the erection of the Corporation of the Royal Institution would have been accompanied or immediately followed, by a public endowment of lands for its support ; such, however, was not the case ; the measures taken by that body for the obtaining such endowment, with the result of them, will be given in a subsequent part of this paper.

The history of the Schools under the new system, and of the various legislative proceedings

adopted since the year 1824, will require a greater detail.

Subsequently to the passing of the last-mentioned Act in that year, the next Act of the Provincial Legislature was in 1829, when a new Act was passed founded upon different principles, but equally repugnant to the system established by the Act of 1801.

The Act passed in the year 1829 (the 9th Geo. IV. chap. 46,) is intituled “An Act for the encouragement of Elementary Education.” This Act provides, that the establishment and sole management of Schools in their respective parishes and townships should be confided to Trustess, elected by the Landholders, inhabitants of the parish or township eligible to vote for Members of the Legislature for the County; the Trustees were empowered to hold property which may belong to the School, and to receive benefactions; half the expence of erecting School-houses, if not above £50. to be advanced from the public funds on the certificate of the Trustees: an annual stipend of £20. for three years was allowed to the Schoolmasters, with a further allowance for poor children, not exceeding 50 in number; the religious communities in the parishes were to participate in the benefits conferred by this Act, but all Schools under the Royal Institution were expressly excluded from its advantages; the Trustees were required to report their proceedings annually to the Legislature.

In the year 1831 the Act of the 10th and 11th Geo. IV. chap. 14 was passed, by which the last previous Act was amended, by making any Rector, Curate, or Minister, though not a freeholder, resident in the parish or township eligible to be Trustees, and excluding from the pecuniary benefit of the last preceding Act all Schools established by individuals.

In the same year the Act 1st William IV. ch. 7, was passed, by which the provisions of the two latter Acts were extended to all missions and extra parochial places, and their pecuniary allowances continued until 1832; the payment of all monies for the purposes of those Acts was required to be made to the Trustees only, and authority was given to the Governor to appoint Visitors to the Schools established under the Act, who with the Members of the Assembly resident in the county, and the resident Rector or Curate of the parish were to visit the Schools annually, and to report the particulars of the same to the Legislature, with their recommendations thereon.

In the same year, 1831, a standing Committee was appointed in the House of Assembly to report from time to time on all subjects connected with Education and Schools, by which Committee, renewed at the commencement of every Session, several Reports have been submitted to, and approved of, by the House of Assembly.

In the year 1832, the Act of the 2nd William IV. chap. 26, was passed, by which the Counties of the Province were divided into 1,344 School districts, in each of which an elementary School was to be established at the discretion of the Visitors, and an additional one for Girls in the School districts of each Roman Catholic parish or mission in which the Church or Chapel was situate ; until the year 1834 subsequently prolonged to the year 1836, were granted one half of the expence of erecting School-houses, if not exceeding £50. was allowed, and the sum of £20. per annum to each School district for the salary of the Schoolmaster, from the provincial funds, provided no greater charge, than 2s. per month is made for the education of each Scholar, and that twenty Scholars at least have been in regular attendance for a certain portion of the year ; where there are less than 20 pay Scholars, the Trustees may admit a proportion of poor for gratuitous instruction ; a sum of 10s. for each School district is also allowed for distribution by the Visitors in prizes or rewards among the children. The School Visitors are the resident Members of the Council, the County Members of the Assembly, the Ministers of the most numerous religious denominations within each parish, but for the parish only, the Senior Justice of the Peace, and the Senior Officer of Militia, who are required to make an annual visitation of the Schools in the County,

and to certify the documents necessary to obtain the various grants of money above enumerated : and the three last preceding Acts were repealed by the provisions of this Act.

In the year 1833, by the 3rd William IV. ch. 4, Superiors and Professors of Colleges and Presidents of Societies for promoting Education, were declared eligible to be School Visitors.

In the year 1834, a Bill passed through both Houses of the Provincial Legislature, but was reserved for the signification of his Majesty's pleasure, by which it was contemplated to give generally a corporate capacity to all Provincial Institutions for Education. His Majesty's sanction to this Bill was refused upon the following grounds, set forth in Lord Aberdeen's dispatch of the 1st January, 1835.

“ It is not without the deepest concern that his Majesty finds himself under the necessity of postponing his decision on the Bill for the further and permanent encouragement of Education. Deeply impressed with the extreme importance of the object in view, and anxious to encourage by the utmost exercise of his authority and influence, the growth of sound learning and religious knowledge in every part of his dominions, and especially in a Province, where those advantages are so essential to the right use of the extensive franchises and political rights enjoyed by every class of society ; his

Majesty could not be induced by any slight motives or ordinary difficulties to defeat, or even to delay, the establishment of a system devised by two branches of the Legislature for the attainment of that great end. In the present case, however, the impediments which present themselves are neither few nor inconsiderable.

“ I do not adopt an opinion which appears to have been entertained by some persons in the Province, that this Bill is objectionable because it creates corporate bodies thus calling on the Governor to concur in a measure not contemplated by his commission or instructions. It is, indeed, true, that his Majesty has not thought it necessary or expedient to delegate to your Lordship the prerogative by which his Majesty himself can incorporate voluntarily, societies for various general or specific purposes, but the motives which have forbidden the transfer of this power to the Governor of Lower Canada in his executive capacity, have no application whatever to acts to be done by him in his legislative character. The Constitutional Act of 1791 confers on the Governor of the Provinces, as a member of the Legislature, powers large enough for this purpose, and although the same act enables the King to instruct the Governor, as to the exercise of those powers, yet his Majesty has not hitherto found, and does not now perceive, any reason for fettering your Lordship's discretion to

assent to any Bills which may be tendered to you, for the erection of corporate bodies in the Provinces.

“ Neither am I disposed to attach any real importance to the unlimited power which this Bill would confer in holding in mortmain rent-charges of any amount for the objects of the proposed Corporations. With the changes which time has introduced in the state of society and public opinion throughout Christendom, have past away the greater part, if not all, of the solid reasons, by which our ancestors were induced to contend against the immoderate growth of ecclesiastical and collegiate foundations, and maxims which might be just and useful in the densely peopled state of Europe, possessing territories of comparatively narrow extent, would be altogether delusive, if transferred to the continent of North America.

“ But I observe that the Bill imparts a corporate character to every institution in the Province, which at the date of its enactment, may be possessed of any lands devoted to the purposes of education. It is not, as far as I perceive, requisite that the whole of the lands and revenues should be devoted exclusively to this purpose. It must, therefore, remain a matter of conjecture, rather than of certain knowledge, what is the number or what the nature of the associations, which may be able to avail themselves of this privilege. It is even possible that private partnerships, or private families, or even individuals may, since the

first public notice of this measure have qualified themselves to assume a corporate character, so soon as the Bill should have passed, on the very easy condition of appropriating eight acres, or even a smaller quantity of land to purposes of Education, to be conducted by themselves. Improbable as I admit such an abuse to be, the mere possibility of it appears to be, to demonstrate the necessity of a careful revision of this measure.

“Further, the Bill contains no single clause or enactment, respecting the constitution, or mode of government of the corporate bodies it would create, nor any provisions subjecting them to any visitatorial authority, nor any declaration of the liability of the charters to forfeiture by the judgments of the Courts even in the case of the most flagrant abuse of their powers. In the absence of these usual and indispensable restraints, it is difficult to exaggerate the dangers of the perversion of this law to purposes entirely remote from the design of its authors.

“Again, the permanent line by which all existing and all future institutions for the education of youth, are to be distinguished from each other, merits peculiar attention. The one would be corporate bodies capable of acquiring property without limit, and of transmitting and defending it without difficulty; the other would labour under all the disabilities and disadvantages of voluntary societies. The liberal and tolerant spirit of the Legis-

nature of Lower Canada, is so directly opposed to every narrow principle which would foster peculiar religious opinions, by exclusive civil privileges, that the possibility of so injurious a construction of their motives, has probably not occurred to themselves, yet I fear that the Protestant minority of the Province, watchful as they most properly are against the slightest encroachment on their religious liberty, might complain or surmise, that this retrospective legislation was intended to confer an undue advantage on the Roman Catholic majority of their fellow Colonists. They might yield to the suspicion, that the language and the literature of France, and the religious institutions derived from that kingdom, had been the objects of partial regard, and that existing scholastic foundations were preferred to those which might arise hereafter, because the first are principally under the control of the Roman Catholic Clergy, and the second may be expected to flourish and expand with the influx of a new population from Great Britain, and with the increase of British capital and settlements in Lower Canada. Your Lordship will, I am sure, concur with myself, not only in reprobating as unjust, any suppositions of this nature, but in deprecating as impolitic an enactment which might but too readily give birth to them in minds, strongly excited by party spirit, whether national or religious.

“Finally the terms of this Bill are so chosen, that

I apprehend they would terminate the question so long in debate, whether the corporate character asserted by the priests of the seminary of Saint Sulpice really belongs to them or not ; the decision of that question in favour of the seminary would involve consequences which every Canadian, whatever his national origin, or religious persuasion, would alike have reason to deprecate ; such is the necessity of holding the great commercial city upon a feudal tenure so strict as to prevent a foundation of quays, mills, wharfs and warehouses, and the improvement of buildings dedicated to commerce, which would otherwise have been multiplied, the consequent retardation and perhaps the ultimate prevention of that commercial greatness and prosperity which might be ensured to the city of Montreal by its natural advantages, in the absence of these artificial restraints, the dedication of a vast territory to purposes now become in a great measure obsolete, and for which, to the advantage of every class of society other public objects of the same general character might be substituted, and the necessity of continually recruiting by aliens introduced from France, the members of a corporation which ought to be identified, in the highest possible degree, with the interest and feelings not of the French inhabitants of a foreign country but of the Canadian people. I do not overlook the clause which secures the rights of the Crown, but neither do I think that it was meant or could be

construed in such a sense as to obviate the consequences I have mentioned, the pretensions of the Saint Sulpiciens and of the Jesuits to a corporate character in Lower Canada, should have been expressly mentioned as claims with which the bill did not in any sense interfere.

“Notwithstanding these objections his Majesty cannot so far overlook the importance of the great object to the advancement of which the measure is directed, as to adopt any decision unfavourable to it. His Majesty earnestly trusts that a further bill will be passed by the two Houses to obviate the difficulties I have pointed out, and in that event, his Majesty’s assent will be given with the highest possible satisfaction, to the present as well as to any such supplementary enactment.”

In the year 1836, the Act, 6th William IV. c. 12, was passed, intituled, “An Act to provide for Normal Schools,” the preamble to this Act is as follows:—“Whereas in the parishes, seigniories, and townships of the Province, on which the number of scholars hath become much larger than it formerly was, the want of able masters and teachers is deeply felt, and in order that the liberal encouragement granted for instruction by the Legislature, may not be unavailing, it has become urgently necessary to provide for the establishment of Normal schools, from which masters and teachers properly qualified may be procured.” By this Act a Normal school was established in each of

the cities of Montreal and Quebec, and its entire organization and management were intrusted to a committee of ten persons, elected for five years, at a meeting composed of the Clergy of every order and degree of the Churches of England, Scotland and Rome in the Province, and of other religious sects entitled to keep registers, the superiors, directors and professors of Belles Lettres, Rhetoric, and Natural History in colleges, the Judges of the Court of King's Bench, Members of both branches of the Legislature resident in either district of the Province. By this Act all masters of elementary schools throughout the Province, are to be provided exclusively from the Normal schools, and there was appropriated for carrying this act into effect the sum of £1250. for the first establishment of the schools, together with an annual grant of £1850. for five years, and £480 for three years for their support.

In the same year 1836, the House of Assembly passed a bill, intituled, "An Act to repeal certain Acts therein mentioned, and to provide for the further encouragement of elementary education in the Province."

By this bill it was proposed to augment the number of School Districts from 1344 to 1658, and to vest extraordinary and unprecedented powers, as to the management of the elementary schools, in the members of the Assembly, in the several provincial counties, within the limits whereof they

were located. This bill did not become a law, having been rejected in the Legislative Council.

The grounds of its rejection are to be found in the following Report of a Special Committee of the Legislative Council, which was concurred in by that body.

“ Resolutions and Report of Committee of the Legislative Council on Education. 15th March, 1836.

“ **REPORT.**—The Committee to whom was referred an Act intituled ‘An Act to repeal certain Acts therein mentioned, and to provide for the further encouragement of Elementary Education in this Province,’ respectfully report to your Honourable House.

“ That in the execution of the duties entrusted to them, your Committee have thought it desirable to enter into a general view of the objects which the Legislature has had in view in former measures of the same description, and of the results which have ensued from the system hitherto pursued; and they have proceeded to consider the Reports of the Committees of the House of Assembly on Education and Schools for several years past, adopted by that House, and the appropriations made by the Legislature of this province for the encouragement of education, with a full sense of the importance of the subject, and of the peculiar difficulties with which it is at the present moment encompassed.

“ For several years the Legislature has recognized the necessity and expediency of providing means for the support and encouragement of the education of the people of this province, and parliamentary grants have been at various times most liberally made for those purposes ; but the Committee cannot conceive it to have been the intention of the Legislature to perpetuate this expenditure, nor to do more than lay a foundation on which the people of the province should gradually be enabled to raise a system of education, to be supported ultimately, at least in great part, by themselves.

“ In pursuing their inquiries, your Committee have avoided as much as possible the consideration of all extraneous questions ; their sole object has been to consider the principle upon which it is expedient to grant public money in aid of general education, and the best manner of applying that principle.

“ After the most anxious deliberation, your Committee are of opinion that the present establishments for the support and encouragement of elementary education, though abundantly numerous, are inadequate as a permanent system of general education ; and their insufficiency, your Committee have reason to believe, is very imperfectly supplied by the liberal legislative aids which have been granted for several years past for their support. They regret to be compelled to state that the benefits anticipated from that legislative assist-

ance have not been at all commensurate with the hopes and expectations which induced the Legislature to make such bountiful appropriations of the public funds for this object.

“ The measures relating to this important subject have originated in the Assembly ; and their operation having necessarily attracted the peculiar attention of that body, your Committee have been induced to examine with particular care the results which have been developed and brought under the consideration of that House.

“ Your Committee find that by the report of the Committee of the House of Assembly on Education, of the 13th day of March, 1831, adopted by that House, it is stated—‘ The Committee being persuaded that it is the wish of the House to continue for some time longer the encouragement afforded by its former liberality, in all cases where the petitioners show by their contributions that they are zealous in favour of promoting education and knowledge, recommend certain appropriations. They cannot, however, but regret that they have had in evidence, that in several instances too much dependence has been placed in legislative aids, and in some cases to a degree which has relaxed the exertions which were formerly made. They cannot too strongly impress on the House the mischiefs which would result from such a dependence ; that upon the present system, in a few years the payments for education alone would absorb a sum

about equal to the amount of the whole net revenue of the province, upon an average for the last ten years. They recommend that the provision for elementary schools should not be abolished before a better system could be introduced. That among the enormous sacrifices made by the Legislature in favour of education, they consider the abuses and corruption which uniformly attend the lavish expenditure of public money, as the most pernicious. Education itself suffers in the estimation of the public. False ideas are spread among the people that education is rather an object which concerns the community, than themselves individually, and it is undervalued. To draw the money from the people by taxes to be restored to them for those purposes, after undergoing all the diminution of the expenses of collection, management, repayment and waste, would soon impoverish them, without effecting the object in view so well as they can do it themselves, with legal facilities, and moderate public aid and superintendence. That the elementary education of the people is, however, effected in the cheapest way in common schools. That it becomes a common concern of the localities, and the common expenses ought, like any other unavoidable expenses, to be provided for in common.'

“ That by the Report of the Committee on Education and Schools of the House of Assembly, of the 25th January, 1832, it is stated, ‘ That the

present state of the funds of this province, as well as the increasing applications for public money in favour of particular localities, rendered it necessary for the Committee to lay down certain rules for their guidance, with a view to an impartial discharge of their duty, to the reduction of the expenditure, and a warning to the public, that less reliance than heretofore must be placed in aids from the general funds, and more from the localities immediately interested. Among the rules which the Committee formed, the first was, to grant no new allowances, excepting on the most urgent grounds but rather to diminish those already granted.'

“That by the first Report of the Standing Committee of Education and Schools of the House of Assembly, of the 23d February, 1833, adopted by that House it is stated—‘Your Committee regret that the applications during the present session for aids for education, and purposes connected therewith, have been nearly as numerous and great in amount as in the previous session. The extraordinary efforts which were made by the Legislature in a prosperous state of the public funds, have widely spread abroad the idea, that the expenses of the education of youth were to be defrayed out of the public revenues. The present state of the public funds will, however, force a return to more correct notions and practice. Your Committee cannot conceive that it will ever be considered expedient to

draw money from the industry of the people by an expensive process, to be returned to them in greatly diminished amount, for objects, for which they can at once apply it more certainly, more equitably, and with greater economy, under their immediate control.'

" That, by the second Report of the Standing Committee of Education and Schools, of the 14th of January, 1834, adopted by the House of Assembly, it is stated, ' Your Committee acting upon the rules which were laid down for the guidance of the Education Committee, in their Report of the 22d January, 1832, have, in no instance, increased the allowances made last year; and they regret, that present circumstances have appeared to them not to warrant a greater reduction at present. Your Committee trust that the time is not far distant when the whole country will be persuaded that it is much better to trust to themselves, for the discharge of the duty of affording useful instruction to their offspring, rather than depend upon legislative appropriation.'

" That, by the first Report of the Standing Committee on Education, of this the present Session, 1835, adopted by the House of Assembly, it appears, that ' the said Committee thought it right not to make any new grant, except in cases of emergency, and to diminish, as much as possible, those made in former years.' They state, ' that the liberality of the Legislature far from having

stimulated the efforts of the Members of the Institutions connected with Education appears on the contrary, to have paralyzed them.' They also state, 'although the number of the School Districts fixed by the law, appears to your Committee to be extremely liberal, and in some places more than proportionate to the population, new demands for new districts have been made in great number. It is to be remarked, that these applications, do not, generally speaking, come from places which appear by their population to be entitled to a greater number than that now allowed them; but on the contrary, from places where the proportion of the number of School Districts is four times greater than some others. The single fact that a School District is asked for a place in which there are only three families, will be sufficient to satisfy your Honourable House of the necessity of examining applications of this nature with the most scrupulous attention. Your Committee have come to the determination to recommend, that for the future the number of School Districts in each county, be regulated by its population.'

" Your Committee beg leave to state, that, notwithstanding the foregoing Reports of the Special Committee of the House of Assembly on Education and Schools concurred in by that Honourable House, the number of School Districts is, by this Bill, considerably augmented, and the public expenditure for this object, which has already reached

the amount of £150,000., is very greatly increased, as nearly £40,000. currency will be required annually for four years ensuing, to cover the appropriations specified therein. Your Committee, while expressing their concurrence in the propriety of assisting Education in its progress, at the same time fully coincide with the general tenor of the Reports above alluded to, that its support by the people themselves would be more effectual in its results, than under the present system of lavish expenditure, which, even for so desirable an end, will ultimately lead to apathy and indifference.

“ That the system of management proposed to be continued, and, in some points extended by this Bill, if persevered in, must lead to consequences which your Committee cannot but regard as productive of evil. The direction and superintendence of the sums appropriated by this Bill, are entrusted in effect to the County Members of the House of Assembly. This power your Committee consider to be an object of extreme importance for good or for evil as the persons in whose hands it is placed may be influenced on the one hand by a pure sense of duty, or on the other by the opinion or feeling of party, or by other improper motives. Your Committee think it necessary to point out the powers contained in this Bill, upon which they found their apprehensions that some abuses may result from its operation.

“ 1st. The Certificate of the Trustees, by means

of which the Schoolmaster is to be paid, is to be transmitted to the County Member.

“ 2nd. The Certificate of the qualification of Masters of the superior Schools, by means of which they receive their salary, is to be transmitted likewise to him.

“ 3rd. The County Member is to make the pay list of the County Schools and Masters, by means of which the Masters’ salaries are to be paid by the Receiver General.

“ 4th. All alterations in the School Districts are subject to the approval of the County Members, or may, in some cases, as provided by this Bill, be made by them of their own authority.

“ 5th. Large sums of money are to be intrusted to them for distribution, as rewards of excellence to scholars.

“ 6th. The County Member is to demand, recover, and receive all sums of money remaining unpaid from former appropriations of sums for prizes, and for this purpose may require the assistance of the law officers of the Crown.

“ 7th. The Elections of Trustees of Schools by Heads of Families, are to be transmitted to the County Member.

“ 8th. They are not required to support by vouchers their account of monies entrusted to them as are other persons.

“ 9th. They are among the number of school visitors.

“ 10th. Finally, these powers of the County Members shall, in case of a dissolution of Parliament, continue to be vested in them until their successors shall be elected, any law to the contrary notwithstanding.

“ Your Committee believe that your Honourable House will see in these provisions sufficient grounds for the apprehension they have expressed, that abuses may result from the operation of the measure.

“ From the experience of past years, as well as from the appropriations made by this Bill, your Committee apprehend, that liberality may at last degenerate into prodigality, and the object sought for be as far from attainment as before. Under these circumstances your Committee suggest the propriety of suspending all further appropriations, until some general effective system of Education can be judiciously planned and carefully executed, whereby the provincial revenue will be relieved from so heavy an annual demand upon it, and the people be influenced to take a more decided interest in the prosperity of institutions for the education of themselves and children.

“ Independently of these general considerations affecting the merits of the measure, your Committee conceive that there are others growing out of the particular circumstances of the finances of the Province, which demand the serious attention

of your Honourable House, they think it necessary to point out.—

“That your Honourable House resolved on the 6th day of March instant, ‘That it was not expedient to concur during the present session of the Provincial Parliament in appropriations of monies to a greater extent than will leave in the public chest a sum equal to the discharge of the sum of £30,519. 4s. 2d. advanced and paid out of the funds of the United Kingdom by his Majesty’s order, for the support of the Government and the administration of justice in this Province; and of the sum of £83,445. 8s. 11d. still due and owing to the Judges and other officers of his Majesty’s Government in this province, employed in the administration of justice therein, and to other servants of the Crown and individuals as therein mentioned, for which sums no appropriation or provision has hitherto been made.

“That as your Honourable House has already concurred in acts for the appropriation of nearly £12,000 for the encouragement of Education in this Province, that as no Act providing for the sums of money mentioned in the preceding resolution, has hitherto been sent up by the House of Assembly for the concurrence of this Honourable House, and as your Committee conceive that the state of the provincial revenue, (due regard being had to the payment of the sums above mentioned, which remain unprovided for) will not warrant the increased ap-

appropriation required by this Bill, your Committee urge upon your Honourable House, the propriety of proceeding no further with the bill entitled ‘An Act to repeal certain acts therein mentioned, and to provide for the further encouragement of elementary Education in this Province.’

“In pursuance of the views hereinbefore expressed, your Committee have adopted certain resolutions on the subject matter referred to them, which they submit with this their report to your Honourable House. All, nevertheless, humbly submitted.”

(Signed)

P. M. GILL,

Chairman.

Committee Room, }
15th March, 1836. }

RESOLUTIONS.

“1. Resolved—That the profuse liberality with which grants of the public money have been made during the last seven years, for elementary schools in this Province, amounting at the present period to upwards of £150,000, has induced the inhabitants of this Province to rely too much upon public aid, and to relax their own exertions for the support of schools for the education of their children.

“2. Resolved—That the appropriations which have during that period been annually made by the Legislature for that object, have been sufficient to lay a foundation for the establishment of a system of elementary education, to which it now becomes the duty of the Legislature to require the inhabitants of the province to contribute more largely, by

their own voluntary exertions, and with their own means.

“3. Resolved—That it is inexpedient that the public revenue should any longer be charged, as it has been during the last seven years, with nearly the whole burthen of maintaining and supporting popular education ; and that grants for this purpose should either be confined in future to places where, from the poverty of the inhabitants, no effectual exertions can be made by them for the object, or be regulated in all other cases, by the extent of the contributions of the inhabitants of the country.

“4. Resolved—That the system of management heretofore established by the acts for encouraging elementary schools, has been inefficient for the purpose intended, has led to waste and misapplication of the public money, and has a tendency to generate other abuses.

“5. Resolved—That it is expedient in any future measures which may be adopted by the Legislature for the encouragement of elementary schools, that a permanent and efficient system of regulation should be adopted either by the origination of a central board, or by boards in the several districts, or by some other mode of general, uniform and steady superintendence by which the course of instruction may be more effectually ascertained and directed, and the expenditure of the public money be more usefully applied and more effectually checked, than by the plan hitherto pursued.

“ 6. Resolved—That in addition to these considerations, the present state of the public finances, and of the demands upon them, renders it more essentially necessary to prevent the large expenditure which must ensue if the bill now before the Legislative Council, entitled ‘An Act to repeal certain acts therein mentioned, and to provide for the further encouragement of elementary education in this Province,’ should become a law, and that it is therefore not expedient that the Legislative Council should now proceed further upon the said bill.”

But though this Bill was thus rejected, the provincial Legislature in the year 1836 granted appropriations to the amount of £12,000 currency for the purpose of education by special grants for particular schools, including the grant for the support of the normal schools above mentioned.

The statement in the foregoing report of the Legislative Council, of the amount of appropriations for education during the seven years previous to 1836, at £150,000 currency is probably below the true amount, as it appears from the general report of the Canada Commissioners in 1836, that the sum ought to have been stated at £172,519. 5s. 9d. being on an average £24,645. 14s. 3d. per annum, or about one fifth of the total amount of the whole provincial revenue.

It has been shewn; that immediately upon the establishment of the constitution, and down to the

year 1824, various attempts had been made for applying the Jesuits' estates to the purposes of education. The subject was not again resumed until that year when an elaborate report upon this matter by a special Committee of the Assembly was concurred in by that body; this may be found in the journals of the Assembly of the year, but is of too great length for insertion here. In it will be found all the information that can be desired upon this head; it sets forth that the diversion of those estates from their original use and destination, was among the main causes of retarding the progress of education; gives a condensed history of the legal proceedings adopted in France against the order of the Jesuits previous to its suppression in 1761; established the continued application of the colleges and seminaries of the order in that country, to the purposes of education, notwithstanding its suppression; details the proceedings of the provincial Legislature respecting this subject to the period of the report, and concludes in the following terms: "Upon the whole, your Committee is of opinion that the proceedings heretofore had in this House upon the subject, ought to be renewed; and in consequence, that an humble address be presented to his Majesty, praying that he will be graciously pleased to cause to be applied to the promotion of education in the province, the buildings, lands and revenues heretofore belonging to the late order of Jesuits."

In the following year, 1825, the House of Assembly renewed the consideration of this subject, and concurred in the report of another special Committee appointed to enquire into “the best means of applying the estates of the late order of the Jesuits in this province according to their original destination; what have been the effects of the Provincial Statute 41 Geo. III. chap. 17, and in what manner it had been put in execution;” and in the following resolutions:

“1st. That the effects of the Act of the 41 Geo. III., c. 17, have not answered the expectation of the Legislature.

“2nd. That an humble address ought to be presented to his Majesty, praying that his Majesty would be pleased to order that the estates of the late order of the Jesuits in this province be applied according to their primitive destination for the Education of the Youth of the Country—and to that end placed at the disposal of the Legislature.”

An address founded upon the foregoing Report and Resolutions was adopted, and transmitted to England; the Address sets forth—

“That in the earliest infancy of this colony some benevolent individuals founded and endowed a few institutions for the instruction of youth, and the government hastened to second their generous endeavours by giving a legal and permanent existence to those useful establishments, especially to the college of Quebec, possessed by the Jesuits, to

which extensive real estates were annexed, on the express condition of instructing the youth of the country ; a condition which the Jesuits scrupulously fulfilled as long as they existed in the colony, in which their college was the principal institution for education until 1764. But that since their extinction the colleges and estates thereon depending, have remained in the hands of your Majesty's government, and that your faithful subjects of this province are thus deprived of the cherished rights, which they had acquired therein of attaining for their children the signal benefits of a free school education.

“ We most respectfully pray your Majesty will be pleased to consider that the college of Quebec, and the estates thereunto annexed, have never belonged to the Jesuits as their property, but that they were merely depositaries thereof for the purposes of the education of the youth of the province.

“ That the suppression of the order could not carry with it the extinction of our rights to those estates, and that in the several countries of Europe, the colleges of the Jesuits have continued to exist, notwithstanding their expulsion, that event not having had power to convey to the government more rights in the estates administered by that society than were invested in the society itself.

“ That the rapid increase of the population of this province under the influence of your Majesty's liberal and beneficent government, would require a

proportionate enlargement of the means of public instruction, but that by the suppression of the college of Quebec, your faithful subjects have seen with inexpressible pain the principal, and at that time almost the sole source of public instruction in this province, entirely dried up, and that your Majesty's faithful subjects are in that respect in a situation truly lamentable.

“That in the hope of procuring for the youth of this country, the inestimable advantages of science and useful knowledge, the Legislature of this Province passed an Act in the 41st year of the reign of our late Sovereign Lord the King, your august Father, “for the establishment of free schools and the advancement of learning in this province,” authorising the establishment of a corporation, under the denomination of the Royal Institution for the advancement of learning.

“That that corporation was established by virtue of that Act, but that it has not hitherto answered the expectations of your faithful subjects in this province, nor attained the end proposed by the Legislature, and that that corporation is composed and organized in such a manner that it not only cannot attain general confidence, but excites very strong apprehension and uneasiness in the great part of your faithful subjects in this province.

“In these trying circumstances your dutiful Commons of Lower Canada humbly have recourse to your Majesty, and inasmuch as the college of the

late order of Jesuits, and the estates thereon depending in this country, whose inhabitants for the most part have not the means of defraying the expense of the education of their children in private seminaries or schools, we humbly beseech your Majesty, graciously to be pleased, to order that the above-mentioned college, and the estates thereunto annexed, and destined for the education of the inhabitants of this colony, may be restored to their original destination, and that they may to that end be placed at the disposition of the Legislature of this Province. We hope confidently that your Majesty will be pleased to accede to our humble prayer, and will vouchsafe that such proof of your Majesty's justice and paternal solicitude, to which, under Divine Providence we owe the prosperity and happiness which we enjoy under the powerful protection of your glorious empire."

Quebec, 1824.

No answer having been received to this address, this subject was made one of the grounds of grievance laid before his late Majesty and the Imperial Parliament in 1827, and is thus noticed by the Select Committee of the House of Commons on the Civil Government of Canada in 1828 ;—
 "with respect to the estates which formerly belonged to the Jesuits, the Committee lament that they have not more correct information, but it ap-

pears to them to be desirable that the proceeds should be applied to the purposes of general education."

On the 8th March, 1831, certain resolutions were adopted by the House of Assembly as the basis of an Address to His late Majesty, upon the political grievances complained of by that body, and among the number was the following:—"That notwithstanding the exertions that had been made in the Education of the people, under the encouragement afforded by the recent Acts of the Legislature, the effects of the impediments opposed to its general dissemination by the diversion of the revenue of the Jesuits' estates originally destined for that purpose, the withholding of provincial grants of lands for Schools in 1801, and the rejection in the Legislative Council of various Bills in favour of Education, are still severely felt throughout the Province, and materially retard the general prosperity." An Address was transmitted to England, containing the substance of the foregoing and other Resolutions upon matters connected with the public affairs of the Colony, and amongst others, the establishment and settlement of a proper Civil List, as it has been called, forming part of a series of measures to bring to a final satisfactory settlement the various conflicting interests in the Colony.

The answer of the Government to so much of the foregoing Address as related to the Jesuits'

estates, will be found in the following extract from a despatch of Lord Goderich of the 7th July, 1831.

“ First, it is represented that the progress which has been made in the Education of the people of the Province, under the encouragement afforded by the recent Acts of the Legislature, has been greatly impeded by the diversion of the revenues of the Jesuits’ estates, originally destined for this purpose.

“ His Majesty’s Government do not deny, that the Jesuits’ estates were, on the dissolution of that order, appropriated to the Education of the people, and readily admit, that the revenue which may result from that property, should be regarded as inviolably and exclusively applicable to that object.

“ It is to be regretted undoubtedly that any part of those funds was ever applied to any other purpose : but although in former times your Lordship’s predecessors may have had to contend with difficulties, which caused and excused that mode of appropriation, I do not feel myself called upon to enter into any consideration of that part of the subject.

“ If, however, I may rely upon the returns which have been made to this department, the rents of the Jesuits’ estates have, during the few last years, been devoted exclusively to the purposes of Education ; and my dispatch, dated 24th December last, sufficiently indicates, that His Majesty’s Ministers had resolved upon a strict adherence to that prin-

ciple several months before the present address was adopted.

“ The only practical question which remains for consideration is, whether the application of these funds for the purposes of Education should be directed by His Majesty, or by the Provincial Legislature. The King cheerfully, without reserve, confides that duty to the Legislature, in the full persuasion, that they will make such a selection amongst the different plans which may be presented to their notice, as may most effectually advance the interests of religion and sound learning amongst his subjects ; and I cannot doubt that the Assembly will see the justice of continuing to maintain, under the new distribution of these funds, those scholastic establishments to which they are now applied.

“ I understand that certain buildings on the Jesuits' estates which were formerly used for Collegiate purposes, have since been uniformly employed as barracks for the King's troops. It would obviously be highly inconvenient to attempt any immediate change in this respect, and I am convinced that the Assembly would reject any measure which might diminish the comforts or endanger the health of the King's forces. If, however, the Assembly should be disposed to provide adequate barracks, so as permanently to secure these important objects, His Majesty will be prepared (upon the completion of such an arrangement in a manner satisfactory

to your Lordship) to acquiesce in the appropriation of the buildings in question, to the same purposes as those to which the general funds of the Jesuits' estates are now about to be restored."

The Assembly did not accede to the series of measures proposed by Lord Goderich, in his despatch above-mentioned, whereof that of the surrender of the Jesuits' estates constituted a part; a separate Bill was, however, introduced into the Assembly in the year 1832, respecting these estates, and passed into a law, 2. Wm. IV. ch. 41, intituled, "An Act to make provision for the appropriation of certain monies arising out of the estates of the late order of Jesuits, and for other purposes," in the preamble whereof, the despatch of Lord Goderich to the foregoing effect is recited: the Act provides, that all monies arising out of the estates of the late order of Jesuits, should be kept apart and applied to the purposes of Education exclusively, in the manner provided by that Act, or by any other Provincial Act to be made.

By this Act the proceeds of those estates from that time forth have been locked up, and must so continue until their application is provided for by Legislative authority within the Province.

Besides the foregoing three public endowments of the Seminary of Quebec, that of Montreal and the late order of Jesuits, several Colleges and Seminaries have been established within the Province

since the year 1820, which owe their endowments principally to private individuals professing the Roman Catholic faith.

It would have been desirable to have given the history and constitution of these scholastic institutions ; but from the remoteness from sources of information, which are only accessible within the Colony, the statement respecting them must be very general.

They consist of the College of Nicolet in the district of Three Rivers, incorporated by letters patent in the year 1821 ; this is an extensive establishment, having twelve Professors, and accommodation for a large number of boarders : the number of pupils is not exactly known, it may be from 100 to 200, of whom about 70 may be boarders. 2nd. The Seminary of St. Hyacinth, in the district of Montreal, endowed with real estate, and supported by the contributions of individuals and scholars. The number of Professors and pupils in this establishment is not known. An application was made in the year 1827 to the Executive Government of the Province for letters patent for the incorporation of this Seminary, but refused. 3rd. The College of Chambly, in the district of Montreal, incorporated by Act of the Provincial Legislature in 1836, is endowed with real estate of value, by which and by the contributions of individuals, and the pay of the scholars, it is supported. The number of Professors and

scholars in this College is unknown; but the College buildings are of considerable extent, and capable of affording accommodation to a great number of students. 4th. The College of Saint Anne de la Pocatiere, in the district of Quebec is also possessed of real estate, and supported principally by private contributions and the pay of scholars; the number of Professors and scholars is also unknown. 5th. The Seminary of l'Assumption, in the district of Montreal, is likewise possessed of real estate, and is supported by private contributions; the number of its Professors or students is not known. 6th. The Seminary of Saint James, in the city of Montreal, supported by private funds, and established exclusively for the Ecclesiastical Education of candidates for the Roman Catholic priesthood, is under the special superintendence of the Bishop of that Church residing in the city of Montreal.

Besides the foregoing institutions there are several nunneries established in the cities of Quebec, Montreal and Three Rivers, appropriated to the education of the female youth of the country: they severally hold endowments in lands granted to them by the Crown of France, or by private individuals, soon after the first settlement of the country; the nature and extent of these cannot be ascertained at this distance from the Province.

The foregoing Seminaries, Colleges, and Nunneries, are the Roman Catholic Institutions, esta-

blished in Lower Canada, for the education as well of the male as of the female portion of the population of the Province.

The only permanent Protestant endowment which has been made within the Colony since its cession to Great Britain, is derived from the beneficence of the late Honourable James McGill, who died at Montreal in 1811. By his will he devised a valuable property in lands and buildings in the neighbourhood of Montreal, for the site of a College to be called McGill College, and the sum of £10,000 sterling in money, which, with the accumulation of interest now exceeds £22,000 sterling; but in consequence of a long course of litigation, and from other causes, the intentions of the testator have not yet been carried into effect.

It has been seen that the Act of 1801, to which the Royal Institution owed its existence, contemplated a public endowment for the support of the Schools to be established under its authority. Under the will of the late Mr. McGill the lands and monies left by him for the establishment of a College, came to be under the control and management of the Royal Institution:—and it remains to show what measures have been taken for the purpose of carrying into effect the Act of 1801, and of rendering effectual the endowment by the late Mr. McGill.

After the recommendation of the Executive Council of the Province in the year 1803, for the grant of sixteen townships, and the first establish-

ment of the Royal Institution in 1818 ; the first formal written application for the endowment contemplated by the Act of 1801, was made by that body to the late Earl of Dalhousie, then Governor-in-chief, &c. in the year 1826, and is as follows :—

*“ To his Excellency George Earl of Dalhousie,
&c. &c. &c.*

“ The Petition of the Royal Institution for the
Advancement of Learning,

“ Most respectfully sheweth,

“ That in the preamble of the Provincial Statute of the year 1801, under which this Corporation has been constituted, it is stated that his Majesty had been graciously pleased to signify his royal intentions that a suitable proportion of the waste lands of the Crown should be set apart, and the revenues appropriated to those purposes for the accomplishment of which this Corporation has been erected, and that your petitioners cannot but consider this explicit public and solemn declaration of the Royal purpose, as carrying with it a pledge peculiarly strong, as the Act in which it is found was reserved by the Provincial Government, for the signification of his Majesty’s pleasure thereon, and was then brought under the special consideration of his Majesty’s Government, before it received his Majesty’s final sanction.

“ That your petitioners having also referred to sundry documents lodged in the office of their

Secretary, find that on the 11th of November, 1801, his Excellency Lieutenant-Governor Milnes, informed the Executive Council that his Majesty 'being desirous to afford all possible encouragement to his Province of Lower Canada, in carrying into execution an object of such importance as the instruction and education of youth, had signified to him through his Grace the Duke of Portland his Royal pleasure that he should, upon consulting his Majesty's Executive Council, report in what manner, and to what extent it would be proper to appropriate a portion of the Crown lands or revenues arising therefrom for this purpose, and that his Excellency referred this matter to a Committee of the whole Council for their report thereon.'

"That the Report under this reference was approved in Council on the 27th of June, 1803, by the Lieutenant-Governor, who then informed the Board that according to the directions given to him through the then Secretary of State, he should transmit the same for his Majesty's royal pleasure. In the above report, a copy of which is lodged with the Royal Institution, the Committee of Council recommend an appropriation from the waste lands of the Crown to the extent of sixteen townships, partly for the general purpose of supporting public schools throughout the Province, and partly for the endowment of a College.

"That it appears from a despatch dated 9th September, 1803, (a copy of which is also lodged

with the Royal Institution,) that his Majesty was graciously pleased to approve of the appropriation of a quantity of land for the foundation of two seminaries, one at Quebec and one at Montreal, on the scale recommended by the Council, namely, for an endowment to the extent of 20,000 acres for each school.

“ That at the time when the said Report of Council was made, and his Majesty’s approval thereof notified by Lord Hobart, the average value of ordinary land in the province appears to have been about 2*s.* 6*d.* an acre; but that since that period, not only has almost the whole of the valuable waste land of the Crown in accessible situations in the province been pre-occupied and granted to private individuals, but the value of all waste lands has so greatly diminished, that a grant to this Corporation, even to the full extent then approved by his Majesty’s Government, would be still insufficient for the general purposes intended.

“ That your petitioners have reason to believe that at the present moment it is only in the leased Crown reserves that means could be found by his Majesty’s Government, without great detriment to the general interest and improvement of the province, of making a grant that would at all be effectual for promoting the purposes of education, or fulfilling, even to a limited extent, the gracious intentions of his Majesty.

“ That 276 lots of the Crown reserves are now under lease, amounting in all to about 55,000 acres, or about one-fifth of the quantity, or one-third of the nominal value of the endowment which his Majesty's Government in 1803 directed to be made for the before-mentioned purposes. That as no definitive steps have as yet been taken for carrying those instructions into execution ; and as circumstances have in the intervening period so very much changed, that a grant of the waste lands of the Crown, unless to an extent which his Majesty's Government would not at the present moment be likely to sanction, would not be effectual for the object which is contemplated.

“ Your petitioners have no other resource than in applying to his Majesty's Government for a grant of the Crown reserves, now under lease, as affording the only means now attainable for fulfilling the gracious intentions of his late Majesty.

“ Your petitioners most respectfully solicit your Excellency to take the whole of these proceedings into your favourable consideration, and either to give the necessary directions for an immediate appropriation, should your Excellency feel yourself authorized so to do under the instructions aforesaid, or otherwise to draw the consideration of his Majesty's Ministers again to the subject, in order that the intended appropriation of land (either from the leased Crown reserves, or from the waste lands of the Crown) may be vested in

the Corporation of the Royal Institution with the least possible delay.

(Signed)

“ T. SEWELL,
“ *President.*

“ Quebec, 10th February, 1826.”

In 1829 the following despatch was transmitted by Sir James Kempt, then administering the Government of Lower Canada, to His Majesty's principal Secretary of State for the Colonies.

“ Castle of St. Léwis, Quebec,
“ *21st December, 1829.*

“ SIR,—In obedience to the commands conveyed to me in your despatch, No. 73, of the 3rd of September last, I have the honour to transmit to you herewith a return of the places for the instruction of youth of the Protestant and Roman Catholic persuasion in this province, and of the funds by which they are supported.

“ The Protestant institutions for education consist, as you will observe, of the two grammar schools, one at Quebec and one at Montreal, and of a seminary lately established at Chambly, under the auspices of the Lord Bishop of Quebec, where, in addition to the ordinary course of classics, young men are instructed in divinity preparatory to taking holy orders. The institution is, however, entirely of a private nature, and solely supported by the students attending it. There are also some academies in the towns of Quebec, Montreal, and Three Rivers, where instruction is given in the

classics, though the course of study is probably not carried so far as at Chambly. These are altogether private, and of course depend upon the scholars for their support.

“ There are six Roman Catholic seminaries or colleges in the province, including the two establishments that are under the direction, and principally maintained by the funds of the seminaries of Quebec and Montreal. These two bodies are possessed of considerable estates, though not by their endowment specially appropriated to the purposes of education ; and those of the latter in particular, as you are aware, are of very great value.

“ Of the four other Roman Catholic seminaries, only one, that at Nicolet, has been erected by letters patent, and all four are principally supported by voluntary contributions, or by the price paid by the students for their instruction.

“ Of all these seminaries, both Protestant and Roman Catholic, the two grammar schools at Quebec and Montreal alone received any permanent assistance from the public funds. The school at Quebec, as shewn in the return, receives an allowance of £200 a year, and £90 for the rent of a school-house, from the funds accruing from the estates heretofore belonging to the late order of Jesuits ; that at Montreal, £200 a year, and £54 for the rent of a school-house, from the same revenues. The course of instruction followed at both these schools is explained in the return.

“ A landed estate to the value of £10,000, and a like sum in money, was bequeathed by the late Mr. McGill, of Montreal, in the year 1811, for the establishment of a College in the neighbourhood of that city ; but the validity of the bequest having been disputed by his relatives, and other obstacles that were explained in my despatch, (No. 108,) of the 5th of November last, have hitherto prevented this design from being carried into effect, although the College was incorporated, by a Royal charter, in the year 1821.

“ The only funds in the Province, independent of the Legislative appropriations for elementary Schools, from which any aid is given for the promotion of Education, are the revenues arising from the estates heretofore belonging to the late order of Jesuits ; and this aid, as already stated, is confined to the two Royal Grammar Schools at Quebec and Montreal.

“ By an account made up to the 10th of November last, the gross revenue of these estates for the year ending on that day, amounted to £1,884 4 11

The authorised charges for manage-

ment and collection 	£	554	17	6
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Allowances to Grammar Schools,

retired allowances, authorised Sa-

laries, &c. 		980	10	1 $\frac{1}{4}$
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		1,525	7	7 $\frac{1}{4}$
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Leaving only a balance of £	358	17	3 $\frac{3}{4}$
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From which the building and repairs of mills, and other expences that must be incurred for the improvement of the estates are to be defrayed ; and there are no other revenues in the Colony at the disposal of Government which could be made available for the purposes of Education.

“ The Protestant and Roman Catholic Seminaries above-mentioned, and the Academies alluded to, being the only institutions in Lower Canada where the classics or the higher branches of learning are taught, the information which is furnished respecting them may be probably sufficient for the object you had in view in desiring to receive a return of the places for the instruction of youth in the Province. But as it may be satisfactory to you to be informed of the provision made for the maintenance of the common elementary schools in the country, I have added to the return a statement of the schools of this description, under the direction of the Royal Institution, and of those that have been established in the country under an Act passed in the last Session of the Provincial Legislature ‘for the encouragement of Elementary Education ;’ and I have annexed thereto two papers, explanatory of the system under which they are established in the return, a list of elementary schools in the towns of Quebec, Montreal, and Three Rivers, for which special appropriations were made in the last Session of the Legislature, and the amount granted to each.

“ The paper No. II. is a memorandum respecting the Board of Royal Institution, showing the time of its foundation, the objects for which it was incorporated, and the principles upon which it has been conducted. I have every reason to believe that the rules therein stated, as having been laid down for its guidance, particularly the regulations to prevent any interference with the religion of the children at the several Schools have been strictly attended to; but nevertheless, it cannot be denied that the Royal Institution has never been viewed with any cordial good will by the Roman Catholic part of the community.

“ A proof of this feeling may be found in the reluctance with which the Roman Catholic Bishop acceded to the arrangements first proposed in the year 1826 for a division of the Board into *two* distinct and *equal* Committees, consisting respectively of Protestants and Roman Catholics, for the superintendence of each of the Schools of its own persuasion, and in his refusal to accede to a modified arrangement when legal difficulties were found to exist that rendered the plan to which his assent had been obtained impracticable. The Protestant Dissenters are also by no means favourably disposed towards the Royal Institution; and the Act passed for the encouragement of elementary Education in the last Session of the Legislature, by which the superintendence of the Schools is entirely confided to Trustees, to be annually

chosen by the inhabitants of each parish, being exceedingly popular in the country, and Schools having been established under it in every part of the Province; I have no very sanguine expectation that the Provincial Allowance of £2,000. per annum hitherto made to the Royal Institution for the maintenance of Schools under its direction will be much longer continued.

“ The paper marked No. III. is explanatory of the provisions of the Act passed in the last Session for the encouragement of Schools in the country parishes.

I have, &c.

(Signed)

“ JAMES KEMPT.

“ P. S. It may be necessary to mention that the two Grammar Schools at Quebec and Montreal that receive an allowance from the Jesuits' estates, were established in the year 1826. Three gentlemen having arrived from England in that year, appointed by the Secretary of State to superintend them, as well as a Grammar School in Upper Canada. The authority for the amount of salary allowed is conveyed in a despatch from Lord Bathurst, dated 24th February, 1827.

“ The salary for the Master of the Grammar School in Upper Canada was ordered by your despatch of the 2nd of June, 1828, to be transferred to that Province, but a demand has been lately made

upon the Jesuits' estates for the arrears of his salary for eighteen months prior to that period ; the claim is correct, but the estates are at present unable to pay it. J. K."

" Memorandum respecting the Board of Royal Institution, established by the Provincial Act, 41 Geo. III, chap. 17.

" The Royal Institution is established under an Act of the Provincial Legislature passed in the year 1801, intituled ' An Act for the establishment of Free Schools, and the advancement of Learning in this Province.'

" By this Act the person administering the Government of the Province was empowered to erect a Corporation, under the title of ' The Royal Institution for the advancement of Learning,' and to this Corporation the management of all Schools and Institutions of Royal foundation in the Province was to be committed.

" The steps pointed out by the Act for the establishment of Schools are as follow :

" The majority, or a certain number of the inhabitants of any parish or district, are required to present a Petition to the person administering the Government, praying that a School may be established therein. His Excellency then appoints Commissioners, who fix upon a piece of ground for the erection of a School-house, which, when completed, is

conveyed to the Royal Institution : a Schoolmaster is then appointed, and a salary assigned to him.

“ Under this Act Schools were at different times established by the several Governors ; but until the year 1819, without any regular system, and at a great expence to the Province. By a return made in the year 1818, the number of Schools in the Province was stated to be 37, attended by only 1,048 scholars, and maintained at an expence to the public of £1,883. 10s. sterling.

“ Up to that time the Royal Institution had never been regularly established ; but on the 8th of October, 1818, an instrument issued under the Great Seal of the Province, appointing certain persons therein named to be Trustees of the Schools of Royal institution in the Province, and by subsequent instruments issued on the 13th of December, 1819 ; 20th July, 1822 ; 27th June, 1823 ; and 17th November, 1824 ; several other persons were added to the members originally appointed.

“ The Lord Bishop of Quebec was named the Principal of the Institution, and the Board of Trustees being appointed, drew up rules and regulations for the management of the schools, which received the sanction of the local government.

By these regulations the regular superintendence of the schools was provided for as follows :—

The school was placed under the immediate inspection of the Clergy of that religion professed by the inhabitants of the spot, or when the inhabit-

ants might be of different persuasions, the Clergy of each Church had the superintendence of the children of their respective communions.

A regular superintendence of the schools was also assigned to visitors, named by the Corporation, (one of whom to be the clergyman of the parish, according to the rules above described) who were to report to the Corporation every six months, the numbers and progress of the scholars, the conduct of the master, and generally on the state of the school.

The schools of the Royal Institution have hitherto been supported by an annual vote of the Provincial Legislature of £2000 currency.

In the year 1826, it was suggested by the Royal Institution, that considerable advantage might be expected from a different constitution of the Board, and it was proposed that a further number of Roman Catholic members should be added, for the purpose of enabling the Board to divide itself into two distinct and equal committees, consisting respectively of Protestants and Roman Catholics, for the separate and exclusive superintendence respectively of the Protestant and Roman Catholic schools.

This proposed measure was announced to Lord Bathurst, then Secretary of State, by Lord Dalhousie, in a despatch dated 27th May, 1827.

To carry the plan into effect, the resignation of some of the Protestant members of the Board was

obtained, and after some negotiation with the Roman Catholic Bishop, the necessary details being arranged, the Attorney-general of the Province received orders, on the 13th of August, 1828, to prepare the necessary instrument for carrying the arrangement into effect by revoking the commissions under which the Trustees were appointed, and by appointing the same persons Trustees, with the exception of those whose resignation had been obtained, seven in number, and in whose stead the Roman Catholic members were to be appointed.

The Attorney-general, in proceeding to execute these orders, examined the Act under which the Royal Institution was established, reported his opinion that no such instrument could legally issue, the power of the Governor being limited by the terms of the Act, after the appointment of the first Trustees, to removing them, if he should think fit, and to appoint successors to those who should be so removed, or to any who might die or resign their trust, but that the Act gave him no power to add to their number, and that, consequently, the several letters patent issued subsequently to the 8th October, 1818, by which successively it was intended to increase and enlarge the number of members of the Royal Institution, could not be considered legal.

Under this view of the matter, the only persons legally members of the Royal Institution were the individuals named in the instrument of the 8th

October, 1818, and it became therefore impossible to carry into effect the plan for the two committees in the manner originally proposed.

The Roman Catholic Bishop having declined to accede to another proposal, by which two committees might have been formed, but consisting of a smaller number of persons, it became necessary to make an application to the Legislature to revise the Act of 1818, that some additional Trustees might be appointed.

With this view a message was sent to the Provincial Parliament on the 13th February, 1829, recommending the subject to their attention, but the session having approached to a close before anything was determined upon, the consideration was postponed till the next session, and the usual sum of £2000. currency appropriated for the schools of the Royal Institution for that year.

In 1831 the House of Assembly, among other subjects of complaint, addressed his late Majesty upon "the with-holding the promised grants of lands for schools in 1801," to which his Majesty's answer will be found in the following extract from the general despatch of Lord Goderich of the 7th of July, 1831. "Secondly, the House of Assembly represent, that the progress of education has been impeded by the with-holding grants of lands promised for schools in 1801. On reference to the speech delivered in that year by the then Governor to the two Houses of Provincial Legislature, I

find that such an engagement as the address refers to was actually made, it of course therefore is binding on the Crown, and must now be carried into effect, unless there be any circumstances of which I am not apprized, which may have caused the obligation contracted in 1801, or which may have rendered the fulfilment of it at the present time impracticable. If any such circumstances really exist, your Lordship will report them to me immediately in order that the fit course to be taken may be further considered.”

From that period until the session of the Provincial Parliament in 1835-6, the subject was not renewed, but in the latter year, the Legislative Council resumed its consideration, and addressed his late Majesty upon it. The address of that body, after setting forth the Royal intention in 1801, the report of the Provincial Executive Council, and the Royal sanction to that report mentioned above, thus proceeded:—“That no further steps had been taken to accomplish his Majesty’s benevolent intentions, that the seminaries of education founded originally under the Government of France enjoyed extensive and valuable endowments, and that large appropriations of the waste lands for similar endowments had been sanctioned in Upper Canada, New Brunswick, and Nova Scotia, but that no provision had been made in the Province of Lower Canada since it became an appendage of the British Crown, for the permanent endowment

either of preparatory seminaries, or of a university or college to which your Majesty's subjects using the English tongue could resort, for the education of themselves and their children in the higher branches of learning.

“Wherefore they respectfully prayed his Majesty to give directions for the fulfilment of the wise and beneficent intentions of his late Majesty, by setting apart a sufficient quantity of the waste lands, and assuring the revenue of the same, or by otherwise making an adequate provision out of the revenue and proceeds of the Crown lands, as an endowment for a seminary or seminaries of useful learning, and more especially for foundations of an enlarged and comprehensive nature.”

His Majesty's Government having determined to send out Commissioners of Inquiry to Lower Canada in 1835, gave to them specific Instructions upon the head of education:—they are Nos. 81 and 82 of the Instructions from Lord Glenelg to the Canada Commissioners of the 17th July, 1835, and are as follows:—

“No. 81. The state of Education in Lower Canada must engage your most serious attention with a view to the best means of providing the more general diffusion of sound learning, religious knowledge, and Christian principle. Of His Majesty's anxiety in regard to these paramount objects, it would be difficult to speak in terms sufficiently emphatic. But the earnest endeavours of my pre-

decessors on this subject have been so repeatedly frustrated, that I suspect the existence of some obstacles of which the Home Government is not aware. Amidst the heat of contention on questions of comparatively slight temporary concern, the momentous and permanent interests of the whole Canadian people, may have been overlooked. Sufficient attention, perhaps, has not been given to the essential distinctions between the state of society in the kingdom and in the province. It may have been forgotten, that in a new country pressing forward in the career of agricultural and commercial enterprize, it is far more impolitic than in this kingdom to calculate on the voluntary exertions of those who combine the advantages of wealth and leisure with practical experience in public affairs.

“ If His Majesty’s Government have not hitherto addressed themselves with sufficient promptitude to the duty of devising and recommending well-considered plans for an object so nearly touching the moral and intellectual, no less than the social benefit of the Canadian people, it is an error which cannot be too forcibly confessed, nor too zealously redeemed.

“ 82. You will, therefore, apply yourselves to the collection of all such intelligence as may be necessary for framing a general system of provincial Education, embracing not the mere sentiments of literature, but all that relates to the culture of the

mind and the developement of the moral and religious principles of growth in the different ranks of society. This is a task, the due performance of which, requires so intimate an acquaintance with the character and wants of the people, that I doubt whether, within the time of your residence in Canada, it will be possible for you to be completely prepared to form a deliberative conclusion over a question thus comprehensive. It will, however, be of great value if a commencement can be made, resting on a solid basis, on which, aided by the co-operation of the Governor, a more complete structure may hereafter be erected by the Legislative Council and Assembly, I am sanguine in the hope that such will be the result of your inquiries and your report."

In consequence of the foregoing instructions, the Royal Institution made the following representation to the Commissioners at Quebec.

" Application from the President of the Royal Institution for the advancement of learning.

" PROVINCE OF LOWER CANADA.

" *To His Majesty's Commissioners of Inquiry,*
&c. &c. &c.

" The undersigned having been authorised by a resolution of the Corporation of the Royal Institution for the advancement of learning, to bring under the consideration of His Majesty's Commissioners of Inquiry the necessity, before the Crown

lands or revenues thereof are surrendered to the Provincial Legislature, of reserving to the Crown the power of making endowments out of those lands or revenues for the support of the Grammar Schools of Royal foundation heretofore established in this Province, and in aid of the private endowments of McGill College at Montreal, and for the future extension of that establishment, or the foundation of a University, or other sufficient Collegiate institutions in the Province, in conformity to the Royal promise recited in the preamble of the School Act of 1801, respectfully submits to His Majesty's Commissioners a statement of the grounds on which the Board of the Royal Institution solicit the attention of the Commissioners to this subject. The claim or expectation of a Royal endowment out of the Crown lands in this Province, for institutions of Education, may be stated as resting on the pledge contained in a communication of the Royal intention to this effect made by the Governor of the Province to the Provincial Legislature, and recited in the preamble of the Provincial Statute of 1801; on the measures which were shortly after taken by the Provincial Government in pursuance of that promise on the fulfilment of a like pledge given nearly at the same time for the benefit of the inhabitants of Upper Canada, who accordingly now enjoy the advantage of such an endowment; on the fact, that in all other North American Colonies such an endowment has been granted by the

Crown, on the establishment of the Royal Grammar School at Quebec and Montreal, with a provision for the salaries of the Masters out of the revenues of the Jesuits' estates, on the incorporation of McGill's College under a charter from the Crown, with the declared intention on the part of His Majesty's Government at one period to assign the revenues of the Jesuits' estates in aid of the private foundation of that Institution, and on the total absence of any other means or resource by which the inhabitants of this Province, speaking the English language, can hope to see an institution established to which they could send their children for instruction in the higher branches of Education.

“ The promise of an endowment in land conveyed by the message referred to in the Act of 1801, and the measures adopted by His Majesty's Government and by the Government of the Province in consequence thereof, were stated by the Royal Institution in a memorial to the Earl of Dalhousie in 1826, and as a Member of the Board, has by their request placed before His Majesty's Commissioners a copy of that representation, it is unnecessary for the undersigned to state the terms of that pledge, or the nature of those measures.

“ It may be proper, however, to observe, that the Act of 1801, was passed for the establishment and regulation of free schools, and other institutions of Royal foundation of a more enlarged and compre-

hensive nature, and that it is under that Act that the Corporation of the Royal Institution has been established, and has received the devise and bequest under the will of the late Mr. McGill of Montreal, under which McGill College has been chartered by the Crown ; under this Act many elementary schools were established and provided for out of the public revenues ; but no measures were taken for creating the corporate body contemplated by the Act, or for establishing Schools for the higher classes of education, until 1815 and 1816, when his Majesty's Government ordered that the Royal Institution should be organized (with a view, in particular, to take advantage of the bequest of Mr. McGill, who died in 1813), and directed that the funds of the Jesuits' estates should be applied to the erection of a College under that bequest, and in the year 1816, Masters were engaged and sent out from England, who were to have charge of Royal Grammar Schools, directed to be established at Quebec and Montreal, with a suitable provision out of those estates.

“ These measures, which were considered as the first steps towards the execution of those premises, made by the Crown to assign an endowment for education, were followed by the incorporation of McGill College, under a Royal charter, in 1821, of which the Royal Institution are the visitors ; but it was not until 1829, that, after a long course of litigation, the Royal Institution came into posses-

sion of the landed property and buildings near Montreal, devised by Mr. McGill, nor was it until a few months ago that the judgment was obtained before his Majesty in his Privy Council, for the sum of £10,000., also bequeathed by Mr. McGill, in trust for the Royal Institution. This legacy, though now amounting, with the accumulated interest, to £22,000., is manifestly insufficient, without the aid of further endowment, for the establishment and maintenance of an University, as contemplated by the testator, or even of a single College.

“ It is desirable also, that inferior academical institutions should be maintained as nurseries for those of a higher description; but the Grammar Schools established by his Majesty, in Quebec and Montreal, have been left without support since the revenues of the Jesuits’ estates were transferred to the management of the Legislature, without any reservation in favour of those establishments, or for the protection of the teachers whom his Majesty’s Government had engaged and sent from England to preside over them; the salaries of the Masters were, in 1832, reduced by the Assembly to a sum totally insufficient to enable them to provide the requisite assistance in their schools, without which they cannot apply themselves to the principal object of such institutions, instruction in classical and mathematical knowledge; and there is no reasonable ground to hope that any relief will be afforded

to the teachers, or any effectual support to the schools, unless his Majesty shall, in his justice and bounty, secure a provision for them out of his land revenues, at least equal to that upon the promises of which the establishments were originally formed.

“ It would also be highly desirable that similar provision should be made for institutions of the same description at Three Rivers, and in the eastern townships.

“ In the neighbouring provinces of North America, the Crown has provided, either in land or in money, or in both, for the endowment of colleges and institutions of education. In Upper Canada, 550,000 acres were set apart in 1798, for the support of an University and Grammar Schools, but of this reservation the University of King’s College, at York, has received an endowment of 226,000 acres, besides a royal grant of £1000. per annum from the territorial revenue, and the minor College and Grammar School at York, are endowed with 65,000 acres, and a portion of the revenues of the other reserved lands, together with a grant of £1000. from the territorial revenue, and a tract of 175,000 acres has been assigned for the endowment of Grammar Schools in the other districts of the Province.

“ In Nova Scotia, a College was chartered by the Crown in 1803, and received a grant of £1000. per annum from his Majesty’s Government, with an

endowment of 20,000 acres of land, and further grants to the extent of 16,000 acres have been made for other institutions.

“ In New Brunswick, the College at Fredericton receives an annual grant from the territorial revenue, of £1000. per annum, and has been endowed with 5000 acres of land, and a valuable estate in Fredericton, and in every township in the Province grants, or reservations, have been made (amounting now to 20,000 acres), and continue to be made as townships are laid out, for the support of Schools. While such provision has been made for education in the neighbouring British Colonies, and while the establishments for the education of that part of the population of this Province which is of French extraction, and of the Roman Catholic persuasion, are extensive, and supported by large endowments, (which, though originally derived from private donations, have been secured by capitulations granted by the Crown, or have been left by its indulgence in their possession) the other inhabitants of the Province feel the want of the same advantage. It is true that the seminaries here alluded to, are nominally open to all classes of the population ; but it is an undoubted fact, that an almost universal and insuperable reluctance appears to exist among those classes to avail themselves of the means of instruction thus afforded to their youth ; and that the instances of young persons of that description being educated in

those Seminaries, have been, and are exceedingly unfrequent, in proportion to the number who have been sent out of the Province for education. Independently of this consideration, the range of instruction in one of these Seminaries is necessarily limited by particular circumstances, and in neither of them is an education afforded either founded on the principles, or conducted in the manner to which, whether from prejudice or enlightened choice, those, who belong to a different class of the population, would give a decided preference ; and the same observation applies, and will, it is believed, long continue to apply to other Seminaries of more recent origin, which have been founded with the most praiseworthy zeal by the Roman Catholic priesthood aided by annual grants from the Legislature, in those parts of the Province inhabited by a population of French extraction.

“ Circumstances in the political condition of this Province, to which the undersigned is desirous not to advert in a more particular manner, but which can neither be wholly kept out of sight, nor their influence changed (as he believes), except in a long lapse of time, render it improbable that any permanent establishment or encouragement can be expected, except from the Crown, for such institutions in the higher branches of education, as would be acceptable to that part of the community deriving its origin from the Mother Country.

“ It is at once an evidence of the state of things

which has been here described, and of the strength of the feelings and pre-possession from which it has originated, that persons who have been desirous of giving their children an enlarged and complete education, have been obliged to send them out of the Province, either to Great Britain or Upper Canada (since the establishment of collegiate institutions there), to Nova Scotia, or even to the United States of America; and it is a fact, that at the present moment there are, at a private institution for classical education, in the State of Vermont, nineteen young persons from this Province, or the adjacent parts of Upper Canada (chiefly belonging to the most respectable families of British origin), who have been driven to this resource for the better education of their children, in consequence of the absence of any well-endowed and established Seminary in this Province.

“ The Royal Institution are aware that it does not belong to the duties of his Majesty’s Commissioners to set apart endowments for education from Crown lands; but they have drawn the attention of the Commissioners to the subject, in the apprehension that, by the measures which the Commissioners are now framing for surrendering the Crown lands or the revenues thereof, to the Provincial Legislature, the Crown will be hereafter precluded, as in the instance of the surrender of the Jesuits’ estates, from exercising any power of providing for the important object out of its

territorial possessions, unless such power be expressly, and in terms reserved to it, or a sufficient provision previously assigned.

(Signed) ANDREW WILLIAM COCHRAN,
President of the Royal Institution.

Quebec,
 24, *December*, 1835.

Messieurs Moffatt, McGill, and Cochran, were examined by the Commissioners upon this head, and the following are the remarks made by those gentlemen :—

“ Messieurs Moffatt and McGill next wished to call the attention of the Commissioners to the preamble of the Provisional Act, 41 Geo. III., c. 17, which established the Royal Institution for the advancement of learning; and Mr. Moffatt read a memorial, which was presented to Lord Dalhousie in the month of February, 1826, from the trustees of the Institution, in which the engagements were set forth that the Government had at different times entered into, to grant lands for the purpose of endowing Colleges and Schools; and Messieurs Moffatt and McGill stated, that in their opinion, the proceeds of the hereditary revenue should not be surrendered, before some provision should be made for the fulfilment of these engagements, as the Royal Institution was at present entirely destitute of funds.

“ They further stated, that there is no adequate

provision in the Province for the higher branches of English education, and that, though the sum of £22,000 is annually granted by the Legislature for the purposes of education, this assistance is principally given to schools quite of an elementary character; and they would wish that two Colleges at least should be endowed where English youths might acquire the higher branches of education, for which, at present, they are forced to resort to the United States or to Great Britain.”

“Hon. A. W. Cochran, attended by appointment in order to explain the papers which had been submitted by himself and Mr. McGill in support of a claim from the Royal Institution, and in the first instance drew the attention of the Commissioners to the fact, that the preamble to the Act of 41 Geo. III., chap. 17. recites a direct promise from the Crown for an endowment out of the waste lands, which recital is copied verbatim from the speech with which the Governor-in-chief opened the session of 1801; that, notwithstanding this distinct promise, no endowment has ever taken place, and that he does not even now desire to claim an immediate endowment, but only to enter a caveat against the adoption of any measure that may deprive the Crown of the power of making one.

“Does the Institution get any aid from the Jesuits’ estates, or has it the prospect of aid from them?—It does not now get any aid from the

Jesuits' estates ; for one year subsequent to the surrender of the estates, the salaries of masters of Government Schools at Quebec and Montreal, formerly charged on that fund, were paid by an Act from the Legislature, since that year, 1832, those salaries have remained unpaid, and no advantage has been derived from the funds of these estates. As to the prospect for the future, it must be matter of inference and opinion from what has been done hitherto, and the disposition which may be supposed to prevail. My own apprehension is, as stated in my written document, that the Institution has no great cause to expect a portion of that revenue sufficient for the purposes of endowment.

“ Is the Institution at present in active operation ?—It is.

“ What are the duties which it discharges ?—It has under its direction the Grammar Schools of Quebec and Montreal, and also a number of elementary schools throughout the province. The salaries for the masters of these schools are paid out of monies voted for the purpose by the Legislature. A part of their duty also consists in the management of the property devised by Mr. McGill.”

It was then agreed by the board, that, as Mr. Cochran's application did not go to ask any immediate grant, but only to request that the Crown should not be incapacitated from fulfilling the engagements entered into in 1801, it was not neces-

sary, at present, to do more than assure Mr. Cochran that the Commissioners would not lose sight of the subject.

Mr. Cochran, however, added, that his application did not simply go to a fulfilment of the promise made in 1801, but to the enforcement, on general principle, of the claims of the institution to the protection of Government, particularly as the schools of the country do not now afford to the youth of English extraction the means of acquiring the higher branches of education. For the more elementary branches of education, the schools established by the Legislature might suffice, as little objection is made to bring children of English and French extraction together in them ; but the repugnance to send children to schools which are chiefly filled with persons of different religion, and speaking a different language, is greater amongst the higher classes."

Some elementary schools have been established in the provincial cities by private societies, and have at various times received legislative assistance ; but of late years they have been dependent for support upon private charity, and the contributions of individuals. There are two of these schools at Montreal, three at Quebec, and one at Three Rivers, attended indiscriminately by Protestant and Roman Catholic children, and devoted more particularly to the gratuitous instruction of the children of both sexes of the needy and the indigent.

Previous to adverting to the Report of the Commissioners upon the subject of Education in Lower Canada, the importance of that subject may be incidentally viewed in its connection with the provincial population of different origin who are to be affected thereby; the increase and extent of that population will be seen in the following statement, which has been prepared from authentic sources :—

1ST. OF THE PROVINCE OF QUEBEC.

In 1706, the estimated Population of Canada as reported to the French Government, was					Increase.
	-	-	-	20,000	- —
1714, Ditto, Ditto,	-	-	-	27,000	- 7,000
1760, At the cession by the British Government	-	-	-	70,000	- 43,000
1784, By returns to Government	-	-	-	112,119	- —
Married Men	-	-	20,131		
Do. Women	-	-	19,354		
Males over 15	-	-	9,381		
Do. under 15	-	-	24,552		
Females over 14	-	-	8,892		
Do. under 14	-	-	22,513		
Servants	-	-	6,491		
Absentees	-	-	501		
Slaves	-	-	504		
				112,119 say 113,000	- 48,000

2ND. OF LOWER CANADA ALONE.

1825, By Census returns	-	-	-	423,630	
These were allowed to be defective, and the actual population has been more correctly assumed at				450,000	- 337,000
1831, By Census returns	-	-	-	511,917	- 61,917
In the district of Montreal,					
real,	-	-	-	290,050	
Quebec	-	-	-	151,980	
Three Rivers	-	-	-	56,570	
Gaspe	-	-	-	13,312	
				511,917	

Of this number	Males.	Females.	Married.	Single.
Of 5 years and under	78,729			
From 5 to 14 years - -	92,704			
14 to 18 - - -	22,098	- -	401	21,697
18 to 21 - - -	23,309	- -	907	13,302
21 to 30 - - -	35,852	- -	16,574	17,278
30 to 60 - - -	60,441	- -	54,028	6,413
60 and upwards -	13,243	- -	11,243	2,000
Under 14 - - -	-	83,659		
From 14 to 45 - - -	-	69,784	64,941	4,843
45 and upwards - -	-	27,633	22,356	5,274
1836, Estimated population			600,000 inc.	88,033

Average increase from 1760 to 1784	per annum	2,000
Do. do. from 1784 to 1825	"	8,219
Do. do. from 1825 to 1831	"	10,154
Do. do. from 1831 to 1836	"	17,816

From 1760 to 1836 during, the period of 76 years, the population of Lower Canada has doubled itself $3\frac{1}{4}$ times.

The general average increase of Lower Canada per annum, from 1825 to 1836	- -	16,029
The census of Lower Canada of 1831, estimated the entire provincial population at	- -	511,917
Of whom were Roman Catholics	- -	403,472
Leaving for Protestants none of whom could be of French origin	- -	108,445
Of the Roman Catholics, about 50,000 are of British origin, and therefore in 1831 the inhabitants of British origin were about	- -	158,000
And of French origin	- -	353,000
The increase from 1831 to 1836 is	- -	88,083
But in those years 195,000 emigrants arrived at Quebec from Great Britain and Ireland, of whom there remained in the Province, say	- -	35,000
Leaving the natural increase of the population for those five years	- -	54,081
Which divided between the sexes in the proportion of 158 to 353, would increase the inhabitants of French origin to	- -	390,000
And those of British origin, with the addition of the 35,000 emigrants, to	- -	210,000

The manner in which the Canada Commissioners acquitted themselves of that important portion of their duty, which related to the state of education in the provinces, and the means of advancing it, can best be judged of by reference to their Report on this head, which is here subjoined.

“ 1. We feel that we ought not to close our general Report without saying a few words on the state of education in the province, though we regret that it is not in our power at present to go into the subject at any length.

“ 2. On the 21st December, 1829, a despatch was addressed to the Secretary of State, by Sir James Kempt, to which we would refer (Appendix No. 1), as exhibiting a correct view of the means of public instruction then existing in Lower Canada; since which time, although great liberality has been evinced on the part of the Provincial Legislature, and a strong desire to advance the cause of general education manifested by the Executive, we regret to say that the progress has not been, as far as we can judge, such as might have been expected. The entire proceeds of the Jesuits' estates have been dedicated by Government, since the date of Sir James Kempt's despatch, to the advancement of education; and a total sum has been appropriated to the same purpose by the House of Assembly, of £172,519. 5s. 9d., being on an ave-

rage £24,645. 14s. 3*d.* per annum, or about one-fifth of the total revenue of the province. The Royal Institution, partly owing to the extensive operations carried on by the Legislature through different channels, and partly from other circumstances, has fallen into neglect; and we fear that any attempt to revive it, or make it efficient, would be unavailing. The allowance of £2000 per annum for the support of its schools, continued to be made by the Legislature, up to 1832; but in the latter year the grant was reduced to £1265, and has since been discontinued altogether. The schools, however, under the management of the Institution, may still, under certain conditions, receive the allowance that is made generally to all elementary schools in the province.

“ 3. By the despatch which we have referred to, it will be seen that an Act was passed in 1829, for the encouragement of Elementary Education, which was to be in force three years; and we find that Acts were passed, amending and explaining its provisions, in the two following years, 1830 and 1831. In the latter year also, a Standing Committee was appointed in the House of Assembly, to report, from time to time, on all subjects connected with Education; by which Committee, renewed, as it has subsequently been, at the commencement of every session, several valuable Reports have been presented to the House. The views entertained in them appear to us generally so judicious, that we

can only lament that they have not been more extensively acted on by the House to which they were addressed.

“ 4. The system established in 1829 was further continued, by successive enactments, to the 15th May in the present year ; but a Bill, which would again have continued it, failed in the late session, so that the elementary schools are left for the present without any support from the Government. We find that, as the grants made by this Bill were far more extensive than in any that went before, and would, in the whole, have amounted to nearly £40,000, it was thrown out by the Council, principally on the ground that, if it had passed, sufficient money would not have been left in the provincial treasury to discharge the long arrears of salaries due to the public officers. In the Report, however, which the Committee of the Council made on this bill, additional reasons for rejecting it are set forth, based on the ill success of the former grants, on the danger of liberality degenerating into prodigality, and on the extent of the powers that the bill bestowed upon county members. A copy of this Report and of certain resolutions founded upon it by the Council, is placed in the Appendix No. 3.

“ 5. But though this bill was lost, two others respecting education were passed ; one under which special grants were made to particular schools or colleges to the amount of £7620. sterling ; another

by which Normal schools, or schools for the formation of teachers, were established in the cities of Quebec and Montreal.

“6. We have placed in the Appendix an extract from Lord Aberdeen’s despatch of 1st January 1835, (Appendix No. 2) explaining the ground on which the Royal Assent was refused to a Bill that had passed in 1834, for very generally conferring a corporate capacity on all institutions for education in the Province. A Bill of somewhat a similar nature, but framed apparently with an advertence to Lord Aberdeen’s objections, was passed this year, but it received some amendments in the Council, and was not returned to the Assembly till after there had ceased to be a quorum in attendance.

“7. The general system of elementary Education established by the successive enactments we have described, commencing in 1829, may be stated as follows. The whole province is divided into school districts, which, under the Bill that expired in May last, amounted to 1,344, and by the Bill which was lost in the first session of this year, would have been increased to 1,657, notwithstanding the repeated comments of the standing Committee of the Assembly upon the excess of their numbers. In each district, a school may be established at the discretion of the visitors, and an additional one for girls in each parish; a parish generally containing several districts. Every school may receive from the funds of

the Province, a grant of £20. per annum, provided no greater charge than 2s. per month is made for the education of each scholar, and that 20 scholars, at least, have been in regular attendance during a certain portion of the year. In any school where there are not less than 20 scholars paying this sum for instruction, the Trustees have power, under certain restrictions, to admit a proportion of poor children gratuitously. Half the expence of erecting school-houses is often granted, provided such half does not exceed £50. The sum of 10s. per annum is allowed to be distributed in each school by the visitors, in prizes or rewards amongst the children.

“ 8. Visitors are appointed for each county, consisting of the following persons : the resident Members of the Legislative Council, the Members of Assembly returned by the County, the Superiors and Professors of all colleges in it, the Presidents of all societies for promoting Education ; to whom are added in each parish, but for the parish only, the Ministers of the most numerous religious denomination, the senior Justice of the Peace, and the senior Militia Officer. These Visitors (or any three, or latterly two, of them) are required to visit annually all the schools in their respective counties, and must certify all the documents which are necessary to obtain the various grants of money which have been enumerated ; public examinations are also to be held by them once a year.

“ 9. In each school district, moreover, there are three Trustees, chosen by persons qualified to elect Members of the Assembly, and empowered to hold the property which may belong to the school, and to receive benefactions and bequests, within certain limits, notwithstanding the laws of mortmain.

“ 10. The Bill of 1836 further went to authorize school districts to assess themselves, with the consent of a majority of the persons qualified to vote at elections for Members of Parliament, for the erection of school-houses or the support of schools; and the Bill also provided for the establishment of one superior or model school in each parish, the master of which might be paid out of the public funds a salary of £50. a year, provided an additional sum of £20. were raised for him by the parish.

“ 11. That the system of which we have given this rapid outline has been much abused, is sufficiently shewn in the valuable Reports which we have already mentioned of the Standing Committee of the House of Assembly. The principal defects seem to have been, the want of a central board or authority to direct and control the working of the system, a want of qualification in the teachers, and the want of attendance in the children; the want of sufficient exertion on the part of parents in general, arising perhaps from the too prevalent impression that the education of their children is a matter of concern for the Government, and not for themselves; and, lastly, the want of power to

raise money for the support of schools, even where there might exist amongst the majority of the inhabitants a desire to subject themselves to assessments for the purpose. The Standing Committee, in their first Report for 1836, expressly state that the liberality of the Legislature in support of some societies, ‘had paralyzed their efforts instead of stimulating them.’

“12. The failure of the Board of Education, which was instituted under the name of the Royal Institution, might at first be regarded as a fact tending to discourage any future plan for the creation of a central authority, to be entrusted with the control of all establishments for elementary Education in the Province; but we think that errors were committed in the formation of that Board, which would now be avoided; and if we are not deceived in the hope we entertain, that the laudable efforts, lately begun, to introduce a general system of Education in Ireland are proceeding successfully, we would recommend that the fullest information respecting the working of that system should be sent to Lower Canada; for where such abundant proof exists of a willingness to engage in the generous enterprize, we cannot doubt that any hints to be derived from successful practice in other countries would be well received. We are happy to be enabled here to add, that the Report of M. Cousin on the state of Education in Prussia, as well as several works on the subject of Education

in the United States, are beginning to attract notice in the Province.

“ 13. We do not think that the system of supporting schools entirely, or even principally, out of the general revenue of any country is a good one. We think, on the contrary, that the funds for elementary Education should be supplied from the following sources.

“ First.—From a general assessment on all property within the parish or school district, on the principle, that as education is a matter in which the public good is concerned, every inhabitant ought to contribute to it in proportion to his means; and also, because the expenditure of money, raised in part by local assessment, is likely to be better superintended, and more carefully watched by persons on the spot, than the expenditure of money supplied entirely out of the general revenue.

“ Secondly.—By a grant from the public purse of the Province, which grant, however, should never exceed the amount of what is levied by local assessment. The general revenue in Canada being sufficient, and more than sufficient, for all ordinary expenses of Government, it is but reasonable that a portion of it should be applied to reduce the amount of local assessments.

“ Thirdly.—By payments from the children themselves, or rather from their parents, for the reason that what people get for nothing, they are apt not to value highly.

“ 14. With respect to the superintendence of the elementary schools, we think trustees and inspectors should be elected by the rate-payers in each parish or school district, who should correspond with, and be in subordination to, a central board established in each of the districts into which the Province is divided. In Quebec and Montreal we think that the Board ought to be composed, at least in the commencement, of the persons who have been already constituted a committee in the management of the Normal schools, and that in the other districts, Boards should be formed, as nearly as possible on the same principle. The control exercised by the visitors appointed by the recent Acts of the Legislature, has been, as far as we can judge, neither satisfactory nor efficient. That it was insufficient to check jobbing and malversation, appears to be admitted in the Reports made to the Assembly, whilst the possible employment for political purposes of the patronage, which was afforded by it to members of the Assembly, is objected to, and we conceive not without reason, by the Council.

“ 15. With respect to the very important question, how far elementary schools should be charged with the duty of affording religious instruction, we must confess frankly that we have not sufficient information to enable us to express a decided opinion. As a general principle, we cannot hesitate to declare, that as it is highly important that such

schools should be as comprehensive as possible, so is it, in our opinion, desirable that the religious instruction imparted in them should embrace only such general doctrines as all who are Christians may agree in ; but whether a plan of this sort would be suitable to the present state of Lower Canada, is a question on which we are not prepared with an answer. There is a deep sentiment of religion spread, we believe, over the whole population of the country, and we are happy to bear testimony so cordially as we can do, that it is accompanied with fewer feelings of acerbity of the followers of one creed towards another, and particularly of Protestants towards Papists, than perhaps in any country where distinctions so marked and so numerous exist. From this we might not unreasonably be led to expect that a system of education founded on the truly Christian principle of toleration and general charity would not be unattainable ; if we further, however, venture to express a hope that such a plan may be prosecuted to completion, we feel that in doing so we ought to add, that the best chance of its being realized may, as far as we ourselves are concerned, depend on our here dismissing the subject, rather than attempting to prescribe to those who must be engaged in the great and gratifying work of carrying it into execution, the means that they are to employ.

“ Upon the subject of the higher class of Schools, we cannot enter at present, though, as we have

received applications for assistance from the Trustees of McGill College, in Montreal, we must prepare ourselves to do so hereafter ; as also to turn our attention to the subject of the establishment of a University in the Province, to which all classes of its inhabitants might resort for the attainment of the higher branches of Education, and the general cultivation of science. This latter, we believe to be an object of earnest desire amongst persons of influence in the Province, and one which, we apprehend, is every way befitting the care of the Imperial, as well as the local, Government.

“ We have the honour to be, your Lordship’s most obedient humble servants,

(Signed)

“ GOSFORD,

“ GEORGE GIPPS,

“ CHAS. EDW. GREY.”

The spirit in which the Reports of the Canadian Commissioners generally have been framed, and more particularly that portion of them which relates to Education, is best exemplified in the following paragraph of their first Report, in which, recommending the reservation to His Majesty of certain rights and powers over the Crown property, they set forth, “ Your Lordship will observe by the evidence (to wit, of Messrs. Moffatt, McGill, and Cochran, before inserted, and by a memorial which we have included in the Appendix also inserted) that the Trustees of the Royal Institution brought

before us, claims that the Crown should not deprive itself of the means of granting them an endowment of land. The general reservation which we have just recommended, and His Majesty's right over the Crown lands, would in strictness comprise this power; but we apprehend that such a grant would be viewed with great jealousy by the Provincial Legislature: we cannot help thinking that the Royal Institution should be left to be assisted by the Assembly, which we believe has always shewn itself liberal in encouraging the promotion of Education."

The state of education in Lower Canada has recently been again brought under the notice of Her Majesty's Secretary of State for the Colonies, as well by a deputation composed of some of the principal members of the House of Commons, and other persons resident in London connected with the Colony, as by the provincial agents representing the inhabitants of British and Irish origin in the Province; and it is understood that the subject is now under the consideration of Her Majesty's Government, and will receive that attention which its importance demands.

London, 13th June, 1838.

THE END.